

THE FUNAMBULIST

Politics of Space and Bodies



CHICAGO TORTURE JUSTICE MEMORIAL

PATRICIA NGUYEN

REPARATIONS IN ABORIGINAL AUSTRALIA

AMY MCQUIRE

UNLEARNING IMPERIALISM

ARIELLA AÏSHA AZOULAY

REPARATIVE FUTURITIES

ZOÉ SAMUDZI

REVOLUTIONARY REPARATIONS

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TSHEPO MADLINGOZI

JUSTICE4GRENFELL

COLIN PRESCOD

LABOR & MOTHER EARTH

LINDA QUIQUIVIX

REPATRIATING HAWAIIAN ANCESTORS

EDWARD HALEALOHA AYAU

COVER BY POLA MANELI

NEWS FROM THE FRONTS ABOUT

NUBIA (MÉNNA AGHA)

BLACK MUSIC AGAINST APARTHEID (ATIYYAH KHAN)

30 /// July-August 2020

REPARATIONS

BEHIND THE SCENES

Dear subscribers and occasional readers,

Welcome to the 30th issue of The Funambulist magazine! Our team is still (mostly) working remotely from the confinement of our homes, balancing editorial work, logistical challenges, weekly videoconference meetings and local activism. I want to give props to our brilliant Head of Strategic Outreach, Margarida Nzuzi Waco, who added academic work to the mix and graduated from KADK with a research on neocolonialism in Tanzania. Although sometimes a bit challenging, nothing much has changed organization-wise at the 'office' since our last issue. We have grown accustomed to this new life-as-usual.

And at the same time, everything has changed.

Those of you who have been long-time readers may know that this issue is of particular importance for us. We have been tip-toeing around the topic of reparations for quite some time now, both in our pages and podcasts. But we would be lying if we said that we expected this issue to be released in such such a global political momentum.

Léopold Lambert and I are based in Paris, France. Like so many places around the world, lockdown restrictions led to an increased control of racialized, precarious and dissident bodies. Conversely initiatives have reasserted the necessity for auto-organization for migrants or sex workers for instance over these last couples of months. This, not to mitigate but to counter oppressive politics. With this intensification and the particular conditions under quarantine, I listened to friends, artists or activists echo how they were mourning the lives they had envisioned for themselves. But far from deterred, they were even more determined.

I guess this is part of the reason why political configurations took this turn in the aftermath of George Floyd's murder by the police globally. While crucial and historical in the U.S., a milestone has definitely been reached in France. So-called minoritarian initiatives were often met with calls to converge toward mainstream white (often) leftist movements. Black and brown figures (anti-police violence collectives together with anti-racist sans-papier) are now the leading force of activism, organizing protests, occupying the forefront of political space and setting strategy goals. This is how the topics that reparations entails, came at the forefront of the political and mediatic discourse (although admittedly skewed and pushed back in the name of universalism and republicanism).

In the last episode of our "Moment of true decolonization" podcast series, Ruth Gilmore Wilson talks about how she was introduced to Stuart Hall's work and how his words took a particular weight and meaning in the political configuration of the 1980s. Collective reading became the companion of action. We don't believe that we are publishing "magical words" to quote our guest, but we really hope that this reading will pursue global conversations and provide tools toward collective emancipation.

Caroline Honorien,
Paris, on June 11, 2020.

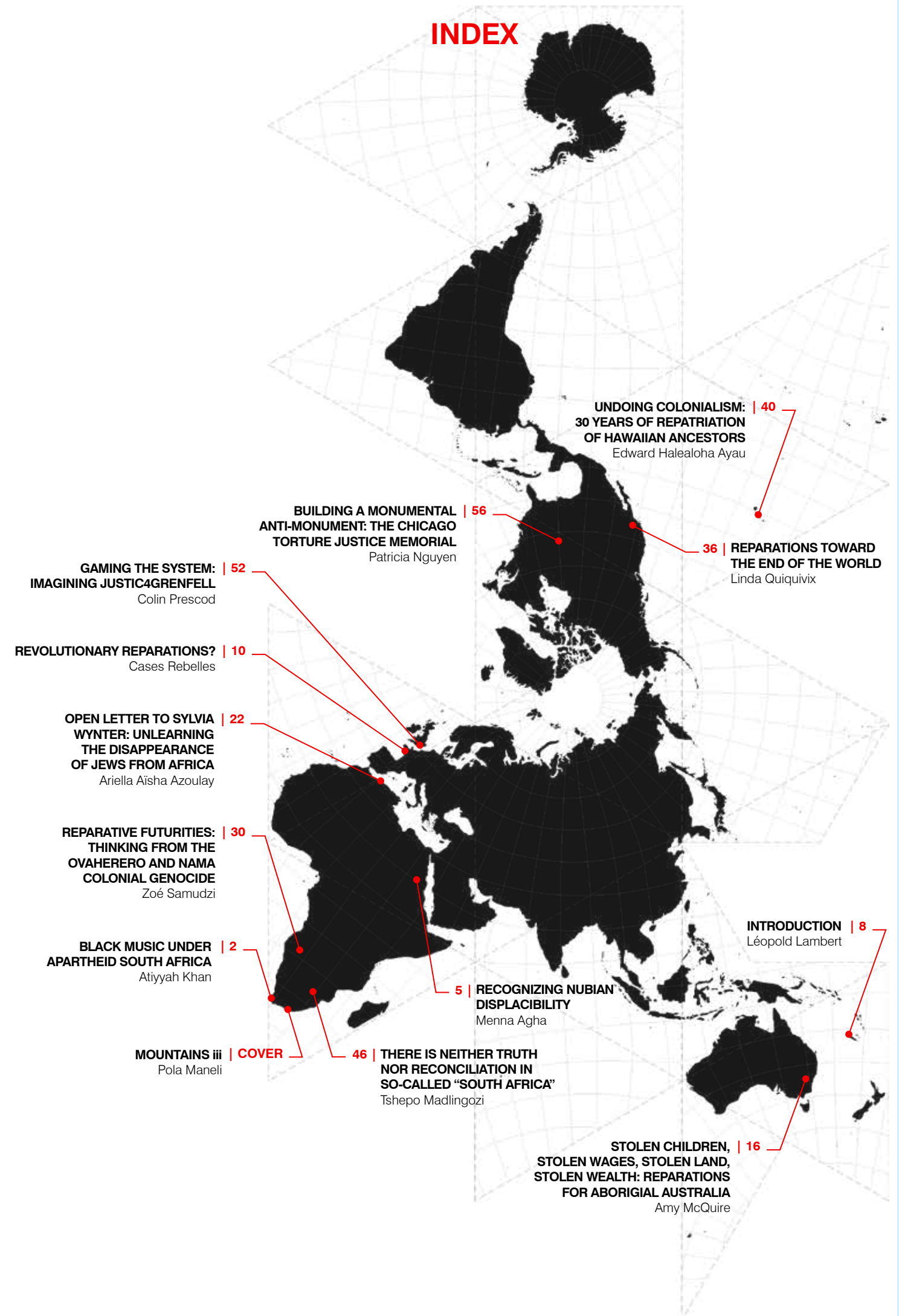


THE ISSUE'S COVER EXPLAINED

It had been a little while that we wanted to work with South African artist Pola Maneli, whose work "looks at the components which make up one's identity; how they're constructed, (mis)understood, disseminated, and ultimately, why the meanings we ascribe to these components seem to be so essential when coming to grips with who we are and who we desire to be." We are therefore very happy to feature his pencil & ink artwork *Mountains iii* (2019) on the cover of this particular issue.

When we asked him about the genealogy of this piece — long after we had already filled it with our own interpretations in relation to this issue's topic — he wrote: "This is part of an illustration series I drew in response to a breakup I was dealing with it at the time. Each piece in the series also references the lyrics to the song 'Mountains' by Charlotte Day Wilson, and this one, in particular, is an interpretation of the lyric, 'Won't you come find me?'."

We invite everyone to check his powerfully evocative work and thank him very much for this (first) collaboration with us.



BLACK MUSIC UNDER APARTHEID SOUTH AFRICA

ATIYYAH KHAN

Atiyyah Khan explains how music has been a battlefield for Apartheid South Africa and the Black liberation movement against the white supremacist settler colony. To read the text with a playlist made by her, listen to the 28th episode of our Moment of True Decolonization show on The Funambulist Podcast.

"THE STRUGGLE FOR BLACK MUSIC IN SOUTH AFRICA HAS ALWAYS BEEN INEXTRICABLY LINKED TO THE STRUGGLE FOR FREEDOM."

A photograph stands out from the many taken of South Africa under Apartheid. Shot by renowned photographer Omar Badsha at the Rainbow Restaurant and Jazz Club in Pinetown, Durban, in 1985, it shows musicians marching with the banner "The Struggle for Jazz. Jazz for the Struggle." The struggle for Black music in South Africa has always been inextricably linked to the struggle for freedom. Because of colonialism and apartheid, there are gaping holes in these histories told. What is evident however, is that Black musicians have always challenged the divide-and-conquer strategies of their suppressors.

What came to be considered jazz can be traced back to the 1920s in South Africa. In the slum yards of Johannesburg, a style of music called *Marabi* developed. Shebeens became nurturing homes for marabi. There, women made homemade beer that flowed and music played throughout the night. This evolved into Concert and Dance nights which started around 8pm with a vaudeville group, followed by a jazz band playing till 4am. Community spirit was central to these events as people enjoyed music and danced all night. The influence of jazz from the United States (which spread via record and movies) fused with local sounds of the time. Trombonist Jonas Gwangwa explains: "Our people were listening to American records and seeing from the movies what people were doing out there — the Cab Calloways, the Duke Ellingtons [...]. Some of that core of musicians were also people who'd played in the entertainment unit of the army in World War II. People like Gwigwi Mwrebi, you know, who was a sergeant in the army."

Towards the 1940s, a new sound emerged called *Mbaqanga*, translated as "steamed cornbread" in isiZulu, evolving from marabi. A multi-racial area called Sophiatown developed on the outskirts of Johannesburg. Originally a farm, after the building of a sewage dump next to the area, the white population moved out allowing space for a racially-mixed population to grow. Out of its vibrant music and arts scene emerged the popular musical King Kong and writings by Can Themba, Todd Matshikiza, Nat Nakasa, and other prolific writers based there. On the other side of the country, a similar cultural community was growing in District Six in Cape Town. By 1955 however, the threat posed by Sophiatown was too great for the authorities, so it was destroyed

and all 60 000 of its residents were forcibly removed. The bulldozers arrived for District Six residents later in 1968 — and in other regions around the country.

These forced removals were due to the formidable Group Areas Act passed in 1950; a law that segregated each racial group into specific geographic locations. This clever act took deeper hold over the years; although it was dismantled when Apartheid ended, its repercussions continue today. Photo-journalist Rafs Mayet comments, "The Group Areas Act was truly a vile iniquitous piece of legislation that destroyed settled communities and scattered them to far flung places and many died of broken hearts." This law affected all who were not classified as white — identified as African, Coloured and Indian. Racially-mixed marriages were banned. Entertainment was banned and when performances did happen, audiences could not mix. A potent cocktail of the Group Areas Act and Pass Laws in the early 1950s, meant that musicians could not move freely without a day or night pass. A curfew of 10pm was imposed and is referenced by the The African Jazz Pioneers in the song *Ten Ten Special*. All of this led to the election of Hendrik Verwoed, one of Apartheid's chief architects, as Prime Minister in 1958. The government drew inspiration from global fascist regimes like Nazi Germany and used torture methods of the French colonial army. In 1960, the Sharpeville Massacre which saw the murder of 69 civilians protesting harsh laws, was a turning point for many.

At this shattering historical juncture, South Africa was sinking further away from freedom while in contrast, many African countries were taking their first breath of liberation from colonial powers. The early 1960s marked a total clamp-down of cultural expression in any form. The Apartheid state formulated unscrupulous plans of how to divide-and-conquer. False borders marked the creation of colonial homelands called Bantustans effectively tribalizing Black ethnicities. Since 1953, Bantu Education had enforced racially segregated education. Then in 1962, Radio Bantu was created; a powerful force of sonic control which South Africa has still not been able to break free from. Radio Bantu was the Apartheid authorities' way of joining forces with the South African Broadcasting Corporation (SABC) to collectively dumb down the country's Black population. Stations were established according to the geographic location of "Native tribes."

"THE EARLY 1960S MARKED A TOTAL CLAMP-DOWN OF CULTURAL EXPRESSION IN ANY FORM. THE APARTHEID STATE FORMULATED UNSCRUPULOUS PLANS OF HOW TO DIVIDE-AND-CONQUER."



These stations intentionally programmed only traditional music particular to each ethnicity; Zulu people could only listen to Zulu music in the isiZulu language. The idea was sold to the masses as a heritage protection project.

In this battle of the airwaves, Radio Bantu was the main tool for the state to spread propaganda. Such importance was placed on this project that a huge budget was allocated for erecting FM radio towers around the country. The deliberate mass production of cheap battery-operated transistor radios ensured that migrant workers and miners travelling into the big cities would continue listening to broadcasts. At this point, jazz steps into the mainframe of the sonic resistance struggle. For lovers of Marabi, Mbaqanga, and other advanced musical styles that came before; this sudden policing of sound was unacceptable. Despite great odds, Black musicians rose to the challenge of creating music to empower the oppressed and went beyond what the state controlled. Protest poets started performing at public gatherings like funerals. Music venues closed down nationally and Black musicians were financially impacted the hardest, however some of the most powerful jazz albums in South Africa's history were released in this time period.

"But apartheid overlaid the word jazz with other more sinister connotations [...]. Then under apartheid, the white authorities found it unacceptable that Black musicians should be acknowledged as capable of playing such 'sophisticated' music. And so symbolic annihilation became part of the hegemonic staging and broadcasting of jazz. Playing behind a screen at Cape Town City Hall while a white musician mimed his notes, reedman Winston Mankunku Ngozi was billed as Winston Mann."

In radio broadcasts, pianist Tony Schilder heard himself rechristened Peter Evans and trumpeter Johnny Meko became Johnny Keen." (Gwen Ansell, Soweto Blues, 2004)

The government's cruellest intention with Radio Bantu was to convince Black people into believing they were inferior — leading to an irreparable state of being which struggles to heal today. Many artists who saw clearly the absolute terror unravelling around them, were fortunate enough to head for exile - relocating either to the U.K., Europe or the U.S.. They did so at the expense of leaving their whole lives and loved ones behind — some never to return. Running parallel to this narrative is the story of Radio Freedom — a guerilla station which ran from 1963-1991 during the anti-Apartheid struggle — serving the African National Congress (ANC) and its armed wing Umkhonto we Sizwe. The station took cues from Gamal Abdel Nasser's Cairo Radio and other anti-colonial stations run by newly independent nations across Africa. Its first broadcast was for 15 minutes from Liliesleaf farm in Rivonia, the raiding of which led to the famous Rivonia Trial, which resulted in Nelson Mandela's 27-year imprisonment. The station was thereafter broadcast from different countries like Zambia, Ethiopia, Madagascar, Angola and Tanzania. Zambia eventually became home to Radio Freedom and the ANC headquarters.

Radio Freedom was one of the only places one could hear jazz, especially those artists whose music was banned in South Africa — such as Abdullah Ibrahim, Dudu Pukwana, or Miriam Makeba. Getting caught listening to Radio Freedom carried a penalty of eight years in prison. The government would do everything in their power to jam the airwaves and block listeners' access. Such was the sonic warfare.

Musicians and jazz lovers marching outside The Rainbow Restaurant and Jazz Club in Pinetown, Durban in 1985. / Photo by Omar Badsha.

"RADIO FREEDOM WAS ONE OF THE ONLY PLACES ONE COULD HEAR JAZZ, ESPECIALLY THOSE ARTISTS WHOSE MUSIC WAS BANNED IN SOUTH AFRICA — SUCH AS ABDULLAH IBRAHIM, DUDU PUKWANA, OR MIRIAM MAKEBA."



The first march of the Mass Democratic Movement in Durban, in September 1989. / Photo by Rafs Mayet.

"HOWEVER, THE ROOTS APARTHEID SPREAD OVER HALF A CENTURY WERE SO EMBEDDED THAT IN THE 26 YEARS OF DEMOCRACY, BLACK MUSICIANS ARE STILL WITHOUT REPARATIONS DESPITE THE LEGACY THEY LEFT BEHIND."

Some white musicians felt threatened, not wanting to relinquish gig space and opportunities to Black artists. Record labels exploited Black artists, paying them much less than their white counterparts. Black musicians, however, were not deterred. Secret music venues popped up in townships under the guise of shebeens. A venue in Johannesburg called The Pelican is one popular treasure trove which hosted jazz musicians from around the country. University and community halls were also used for performance. So were Black-owned cinemas: The Shah Jehan in Durban, The Luxurama in Cape Town, and The Majestic in Johannesburg. Song titles and lyrics were coded to avoid being banned. Some of South Africa's finest jazz albums were created during this time of complete state control and censorship — amongst them *Yakhal'Inkomo* (1968) by Winston Mankunku Ngozi and *Mannenber ~ 'Is Where It's Happening'* (1974) by Abdullah Ibrahim — the title track which became an anthem at political rallies. Significant to mention here, is the jazz-affiliated label As-Shams (The Sun) records. Created by music lover Rashid Vally in 1974, it became one of the first (if not the only) independent labels for Black jazz musicians. With striking album covers designed by Black artists, the label's legacy includes releases from legends such as Tete Mbambisa, Sathima Bea Benjamin, Basil Coetzee and more — these records are impossible to find at an affordable price today.

After the 1976 Soweto Uprising, a combination of increased local resistance and backlash from the global community led to a unified struggle. Pressure on the government led to severe repression in the form of 90 Day Detention Act, torture, deaths, and secret assassinations. The situation was spiralling out of control and music was there to witness it. With the state

of emergency in 1985 came mass political rallies and economic sanctions, eventually leading to a loosening of the stronghold held by the State. By 1990, following Nelson Mandela's release, it was evident that freedom was on the horizon, with Apartheid official ending in 1994. However, the roots Apartheid spread over half a century were so embedded that in the 26 years of democracy, Black musicians are still without reparations despite the legacy they left behind. Louis Moholo-Moholo (the last surviving member of the ground-breaking Blue Notes) sits in the township of Langa without recognition for his contribution to South African music. The mammoth Schilder legacy of the Cape remains undocumented. Important narratives that could make up whole books from the East Rand, KwaZulu Natal, Bloemfontein, and the Eastern Cape communities have not yet been written. Countless important jazz heroes all over the country have passed on in absolute poverty, their stories untold. There are only a handful of performance spaces for jazz musicians to perform and very little radio airtime is given to their music. As capitalism and commercialism spread further, documentation of the artists that helped build this struggle for freedom are at risk of remaining forgotten.

Who can imagine what motivated musicians of that time — without money, venues or freedom — to still create music that shakes the soul today? It is something we can never understand, but it is something we are forever indebted to. ■

Atiyyah Khan is a journalist, researcher, selector, crate-digger, event organiser and archivist from Johannesburg, based in Cape Town. She is also the co-founder of music collective Future Nostalgia, which hosts listening sessions around Cape Town.

RECOGNIZING NUBIAN

DISPLACIBILITY

MENNA AGHA

In this poignant text, Menna Agha addresses the forced displacement and resettlement of Nubians from the Nile banks to the desert. This episode had profound and lasting consequences on Nubian social and political organization, in particular for Nubian women.

"You who understand the dehumanization of forced removal-relocation-reeducation-redefinition, the humiliation of having to falsify your own reality, your voice you know. And often cannot say it."

Trinh T. Minh-ha, *Woman, Native, Other*, 1989.

This story is yet another story of dams destroying Indigenous territories, as hegemonic ambitions for development often demand blood sacrifice and those whose humanity is discounted become that sacrifice. Nubians, my people, were deemed an acceptable sacrifice for Egypt's developmental ambitions and were displaced in one of the largest development induced displacement and resettlement (DIDR) schemes to date. And even though this was half a century ago, we still recognize, feel, and identify as displaced people longing for return.

In 1952, the interim Revolutionary Council government of Egypt decided to build the High Dam in Aswan as Egypt's ticket to modernity and industrialization. The decision to build the High Dam, however, ignored "the costs of salinization, waterlogging, declining soil fertility, the loss of archaeological heritage, increased disease, coastal erosion, the destruction of a large fishing industry, the loss of water due to evaporation and seepage, and other problems already evident from the first dam, and without even attempting studies of costs and benefits." (Timothy Mitchell, "Economicality: How the Future Entered Government," 2014). But Egypt needed a new pyramid.

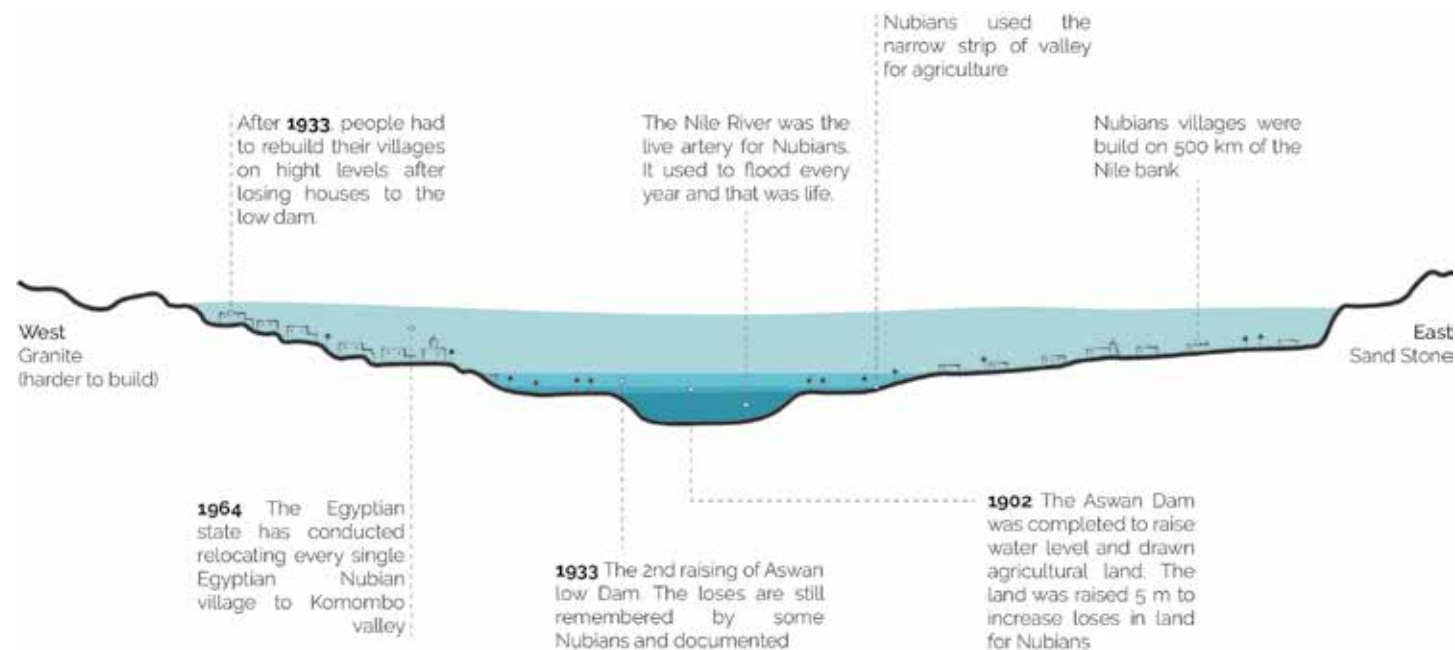
On June 20, 1964, the Egyptian government concluded the displacement of all Nubian villages from their territories and ancestral land to a state-built project in Kom Ombo valley that is designed to house all Nubians displaced within the Egyptian borders. Sudanese Nubians were also victims of this project as Nubians were displaced to New Halfa. In both cases, Nubians were deprived of their beloved Nile and forced to cope with a desert environment.

In 1899, Nubian land was dismantled: the British colonizer of both Egypt and Sudan drew a political border to separate them into two territories on latitude 22°. Mostafa Shorbagy traces the story of the border as; one day Nubians in the village of Adendan were surprised by military preparations, surveyors, and government clerks, in an out of the ordinary movement for the serene village. They ended up erecting an Egyptian flag near the house of Gamal Dokki, 200 meters away they erected a sudanese flag near his brother Dahab Dokki. In a matter of minutes, members of the same family became of different nationalities none of which corresponded to their collective identity.

The dismantlement of Nubia then continued spanning the 20th century, and our Original Land now lies silent under the large water reservoir of the dam. The reservoir is commonly known as Lake Nubian in Sudan, and Lake Nasser in Egypt, named after then-president Gamal Abdel Nasser, the mastermind of this project. This name is often framed among Nubians as “the killer writing his name on his victim’s grave.” This lake and its empty shore now represent a 550 kilometer vacuum on both banks of the Nile valley, it also represents a great geographic divider between Egyptian Nubians and their Sudanese cousins.

The Aswan High Dam was not Nubians' first hydro-power-induced displacement. It was preceded by the Aswan Low Dam, which was constructed on the first cataract by British colonialists in 1902 and subsequently heightened twice — in 1912 and 1933. Nubians lost a vast area of arable land over the course of the Low Dam's development. My grandfather, Ezzeledin Sakkoury wrote of his mother's encounters of the 1933 floods resulting from the heightened dam, she tells stories of horror, when water level had risen without warning and went into their houses at night while they slept. Many people drowned in their sleep. A number of Nubian villages were completely submerged in 1933, and their inhabitants were moved to

"THE DISMANTLEMENT OF NUBIA THEN CONTINUED SPANNING THE 20TH CENTURY, AND OUR ORIGINAL LAND NOW LIES SILENT UNDER THE LARGE WATER RESERVOIR OF THE DAM."



the north, near Aswan. The rest of Nubia had to rebuild itself of higher levels by the river.

To us, Nubians, the story is a story of the land, not of the dams. This is partly because we didn't really see the Dam, people were told of it in the 1960s while being told of their forthcoming displacement, and partly because Nubians were also culturally and epistemically displaced in post resettlement regimes of governance and displacibility. The High Dam was a national symbol and singing its praise was institutionalized in post displacement environments. My mother tells me that every January 9 — the commemoration of the high dam and the regional day of Aswan — they had to participate in a school recital and sing for the dam.

The songs after 1964 displacement, just like the rest of Nubian stories, were filled with longing and sorrow. Telling tales of old Nubians, leaving behind their homes, their dead, and tens of millions of their palm trees, all of which were pillars of this ancient culture. Resettlement into the newly-built environment in the Kom Ombo Valley did not bring about the prosperity promised by the state. Rather, it was a place of control, marginalization, and economic hardship.

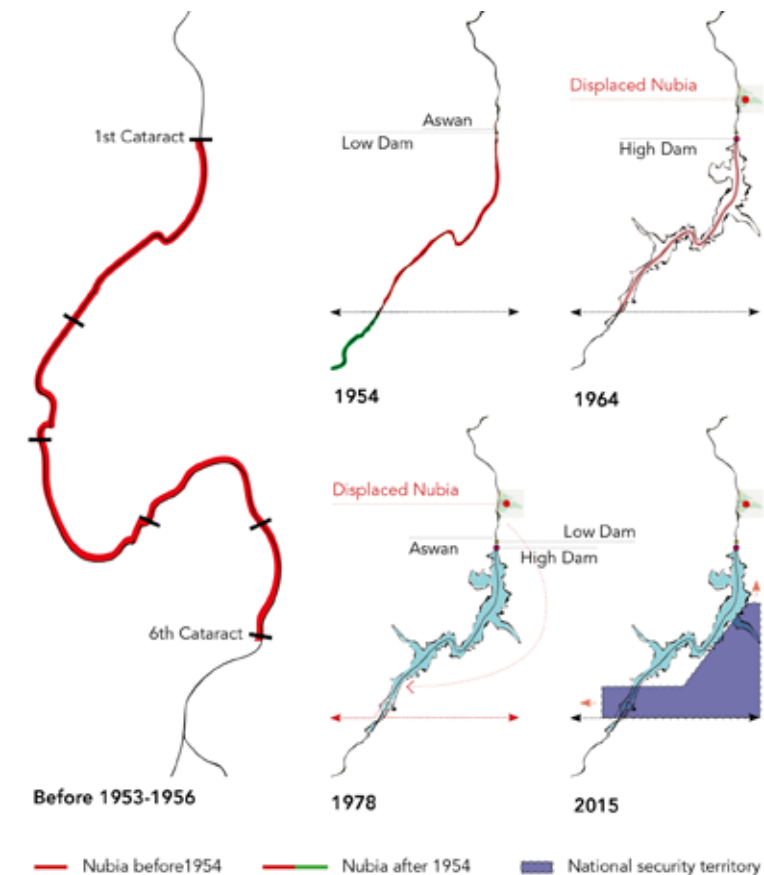
Before displacement, Nubia occupied the area between the Nile's first and fifth cataracts, the area now between Egypt and Sudan. Nubians were moved to a high modernist housing project planned and built by the Egyptian state. The state named this project "New Nubia," or "Nasr Alnuba," which is another reference to Abdel Nasser, but Nubians refused to use these terms and instead expressed their rejection towards the project by calling it "Tahgeer," meaning the site of displacement. This word is commonly and mindlessly used now to refer to the resettlement project built in the 1960s. In our collective consciousness, the term Nubia is a reference reserved for the original territory.

Nubian women, especially, lost a great deal of political power in the process of resettlement. The history of matriarchy and culture of matrilineality among Nubians had constituted a spatial performance that was entirely different from those dictated by state-built spaces. However, contemporary Nubian women and their gendered contract have been in a constant state of contestation for the past 60 years. Their roles and identities are in constant negotiation.

The state tended to deal with men as heads of households, which is not necessarily the case among Nubians. Nubian Women — who then mostly spoke Nubian and not Arabic — were excluded in the state's interaction with Nubians, especially in the dialogue soliciting consent to relocate. A sham dialogue may be, as they showed Nubian models of modern neighborhoods, which ended up being far from reality, but these gave the state's consent to relocate with minimal PR problems. Nubian women lost a great deal of wealth, as the relocation and the transition from a self governed land tenure resulted in a massive transfer of property ownership to men.

Infant mortality rose significantly after displacement, as mortality rates doubled among Nubians. Nubian women lost child after child during pregnancy and after birth, due to diseases and harsh environmental circumstances. In my family, my grandmothers lost 13 children combined — these are uncles and aunts I never got to meet. To add insult to injury, the state clerks then have designated a burial lot especially for deceased children, and jokingly dubbed it "The Nursery graves."

Nevertheless, Nubian women have been the pillar of the Nubian society after displacement, as they were actively trying to claim available powers from state employment to electoral rights. Nubian women cast twice



as many votes in the 1976 election as their menfolk according to Fenea and Rouchdy 1987 paper (Contemporary Egyptian Nubians). Nubian women started community building and organization, as they employed their emotional capital to reform the lacking built environment adding community buildings and introducing new typologies. They were also a great force in the heavy building activities in the first decade after displacement.

In return, Nubian women were also leading the efforts. In 1978, Hagga Tahra of Qustul decided to go back to her ancestral land by the river and built a house and a number of palm trees. Since then, she has been both an icon of Nubian resistance and a datum for those hoping to return. She inspired several failed and successful return attempts and was a starting point for larger agricultural projects by Nubians aiming at return.

Today, Nubians remain in struggle over land. Any attempts to reclaim territory or environmental resources is faced by retaliation by the state or the private sector. In the early 2010s, Nubians tried to take back their land by the river through co-ops, they started farming the land by Lake Nubia and calls for return were reignited. However, the current Egyptian president Abdelfattah El-Sisi has issued a number of decrees that hurdled the possibility. Presidential Decree #444, in particular, designates a 125 kilometer-wide swath of land along the border with Sudan as a military zone.

We struggle to reclaim our story away from state narratives and employ strategies and tactics of subtle resistance on different fronts. As Haggag addol and his team of Nubian activists successfully included Article 236 in the first Egyptian constitution after the 2011 revolution, the article which is now obsolete due to state hegemony intended to bring Nubians' right to Return. The Nubian struggle continues, as our generation still identifies as displaced, and still longs to a long we have never seen. ■

Menna Agha is an Egyptian Nubian Architect and researcher, and a visiting spatial justice fellow at the University of Oregon. She is a third generation displaced Faddicha Nubian, Her research interests include the questions of gender, space, territory, and displacement.



Left. Nubian geography has undergone a significant transformation in the 20th and 21st centuries. Before 1956 when both Egypt and Sudan declared sovereignty and activated the border at latitude 22 degrees North, the line drawn by the English in 1899. Then, the old land of Nubian was first divided between Egypt and Sudan. In 1964 it has displaced all Nubians inside the Egyptian border to Kom Ombo valley, north of Aswan. When Egyptian president Anwar Al Sadat supported the Nubian dream of return in 1978, many tried to relocate to the area closest to their old land, but their dream was short-lived after the death of Al Sadat in 1981. The dream of return hunts the imagination of Nubians to this day, but this dream is now being obstructed by the presidential decree no. 444; which deemed the area by the Dam reservoir a national security territory. / Maps and section by Menna Agha. **Right.** In front Geneha Al-Haj Hassan, behind Fathia Okasha, the man in the back is Abd El-Monaem Moussa during displacement from their village 'Qurta.' / Credits: Fuck western copyright laws! I subscribe to a Nubian episteme in which a photo of a person (or personhood) is regarded as a visual imprint of said personhood and therefore belongs to those being photographed, permissions to use this is granted by the descendants of the photographed, who were being captured without their consent during one of the toughest trips in their history.

REPARATIONS

THE FUNAMBULIST N°30

CASES REBELLES, AMY MCQUIRE, ARIELLA AÏSHA AZOULAY, ZOÉ SAMUDZI, LINDA QUIQUIVIX, EDWARD HALEALOHA AYAU, TSHEPO MADLINGOZI, COLIN PRESCOD, AND PATRICIA NGUYEN.

INTRODUCTION

LÉOPOLD LAMBERT

Welcome to the 30th issue of The Funambulist! With it, we're finishing our fifth year of publishing the magazine — and what a time to do so, amidst the global Black uprising! We hope that this issue dedicated to the question of Reparations can contribute in a humble way to the extremely rich conversations about strategies to adopt in the international(ist) front against settler colonialism and anti-Blackness. When we decided to dedicate an issue to this question in late 2019, it was supposed to be complemented by a monthly lecture series in Saint-Denis (Paris northern banlieue) about this same topic. We were able to organize the first one in March before the others were cancelled by the global COVID-19 pandemic. This first lecture, entitled “Repairing Ourselves, Collectively” was given by Paris-based activists Hajer Ben Boubaker and Dawud Bumaye. The rhetorical question used as a premise of their talk is also the premise of this issue: “Can Reparation occur without the one who committed injustice?” Answering yes to this question, Hajer and Dawud described how communities who have a common experience of colonialism and of its sustained logics today in France, can organize communitarian means of solidarity and material resources.

Reparations, as they are commonly understood — especially in the united states where “40 acres and a mule” were deceivingly promised to formerly enslaved Black people in 1865 — involve the perpetrator of the harm done. Whether the latter are individuals or the State, some activists have elaborated roadmaps for such a process to be engaged. The most compelling we've encountered during the preparation of this issue may have been the community accountability process outlined by community organizer, survivor Leila Raven to our colleagues of a u.s.-based leftist magazine, whose editorial team includes the person who raped her. Her refusal to replicate the punitive logics of carceralism, her choice to never publicly name the person involved, and her dedication to describe the path that needs to be followed in order for accountability to occur (for this specific case involving these specific people) appears to me as a paradigmatic example of reparative justice — insofar that it is self-determined and works for her. The lack of a satisfying response to this process from the people involved, on the other hand, is symptomatic of the fact that one cannot wait for this kind of reparation to occur in order to have means to repair themselves.

As the Cases Rebelles contribution to this issue shows, states, in particular, often use memorialization — or rather, a simulacrum of memorialization — as a claimed form of reparation. The innocuous dimension of these initiatives is sometimes admitted by themselves. Cases Rebelles mention the Nantes mayor proudly affirming that memorializing slavery does not consist in looking for culprits, an obvious deflection of responsibility in a city built by the wealth accumulated from the slave trade. Similarly, on October 17, 2001, for the 40th anniversary of the seldom-acknowledged massacre of over 200 Algerians by the Paris police during the Algerian Revolution, Paris mayor Bertrand Delanoë inaugurated a plaque commemorating the bloody event with these words: “This plaque targets no one.” When one reads the plaque (that has been augmented by a small artwork last year), one can only see how this is true: “To the memory of numerous Algerians killed during the bloody repression of the peaceful march of October 17, 1961” — no one from President De Gaulle or Prefect of police Maurice Papon, to the thousands of police officers deployed is even named. More recently in France, the report put together by Felwine Sarr and Bénédicte Savoy about the repatriation of thousands of looted objects and artworks from French museums to their homelands on the African Continent or in the Pacific, generated a narrative that revolves around the good

will of the colonial State. This Funambulist issue, on the contrary, favors the narrative that emerges from the conversation with Hawaiian activist Edward Halealoha Ayau in its pages. With 30 years of experience in repatriating Hawaiian kūpunas (ancestors) from colonial institutions around the world to give them a proper burial, he is in position to tell these museums and universities that “the question here is not whether they're coming home, it's when.”

Reconciliation is another commonly associated concept to that of reparations. Too often, it is understood as a bargaining means from states that desperately want to “move on” from their settler colonial past and present history. How else to understand the well-known “Truth and Reconciliation” Commissions — i.e. “we'll trade you some truth for reconciliation” — implemented in the settler colonies of South Africa in 1996 (as discussed by Tshepo Madinglozi in this issue), Australia in the early 2000s and Canada from the later part of that decade. However, reconciliation does not always necessarily involve the colonial State; rather, it can occur between colonized groups whose bone of contention between themselves is deeply linked to the colonial structure. The example to which I constantly return to is when I think about true decolonial reconciliation happening on July 17, 2004 in colonized Kanaky (more commonly known under its colonial name, New Caledonia).

After the assassination of the two leaders of the Kanak and Socialist National Liberation Front (FLNKS) — Jean-Marie Tjibaou and Yeiwéné Yeiwéné by another Kanak leader, Djubelly Wea in Ouvéa on May 4, 1989 following the controversial signing of agreements between the FLNKS, the settler Right, and the French State — Wea was also killed by Tjibaou's bodyguard and Kanaky was consequently deeply traumatized by these three violent deaths. The respective tribes of the three men (Tiendanite on the Great Earth, Tadine on Maré island, and Gossanah on Ouvéa island) began a 15-year-long silence with each other. In 2004 nonetheless, the families of the three men undertook a customary path (“chemin coutumier”) to reconciliation that culminated in the travel of most members of the tribe of Gossanah ceremonially asking for forgiveness, and receiving it in the tribe of Tiendanite on July 17, 2004 in a profound and moving historical moment. Jean-Marie Tjibaou, Yeiwéné Yeiwéné, and Djubelly Wea were killed, because of French colonialism, and this custom of forgiveness (coutume de pardon), like all true acts of reparation, although far from erasing the past, constitutes a real moment of decolonization. May you find many more such examples of revolutionary, decolonial reparations throughout this issue. I wish you an excellent read.

Léopold Lambert
Editor-in-Chief

REVOLUTIONARY REPARATIONS?

CASES REBELLES

Laying on a close examination of French state politics of “memorialization,” PanAfroRevolutionary collective Cases Rebelles lays ground for a radical take on slavery reparations. Neither capitalistic nor symbolic, they posit transnational Black and Indigenous liberation as a necessary condition for redress.

In May 2015, Angela Davis was the guest of honor at the annual commemoration of the abolition of slavery in the city of Nantes, a city which, for years, has been relentlessly working to craft a revisionist version of the history of slavery — particularly about the part it played in it. During her stay in Nantes, she made a statement about reparations: “Some people talk about the necessity of paying financial compensations as reparations for the harm done by slavery. But I think reparations would have a greater impact if we thought of them in terms of new institutions: free education, free health care [...] Institutions that would give more space to social justice, regardless of race or origin” (our translation).

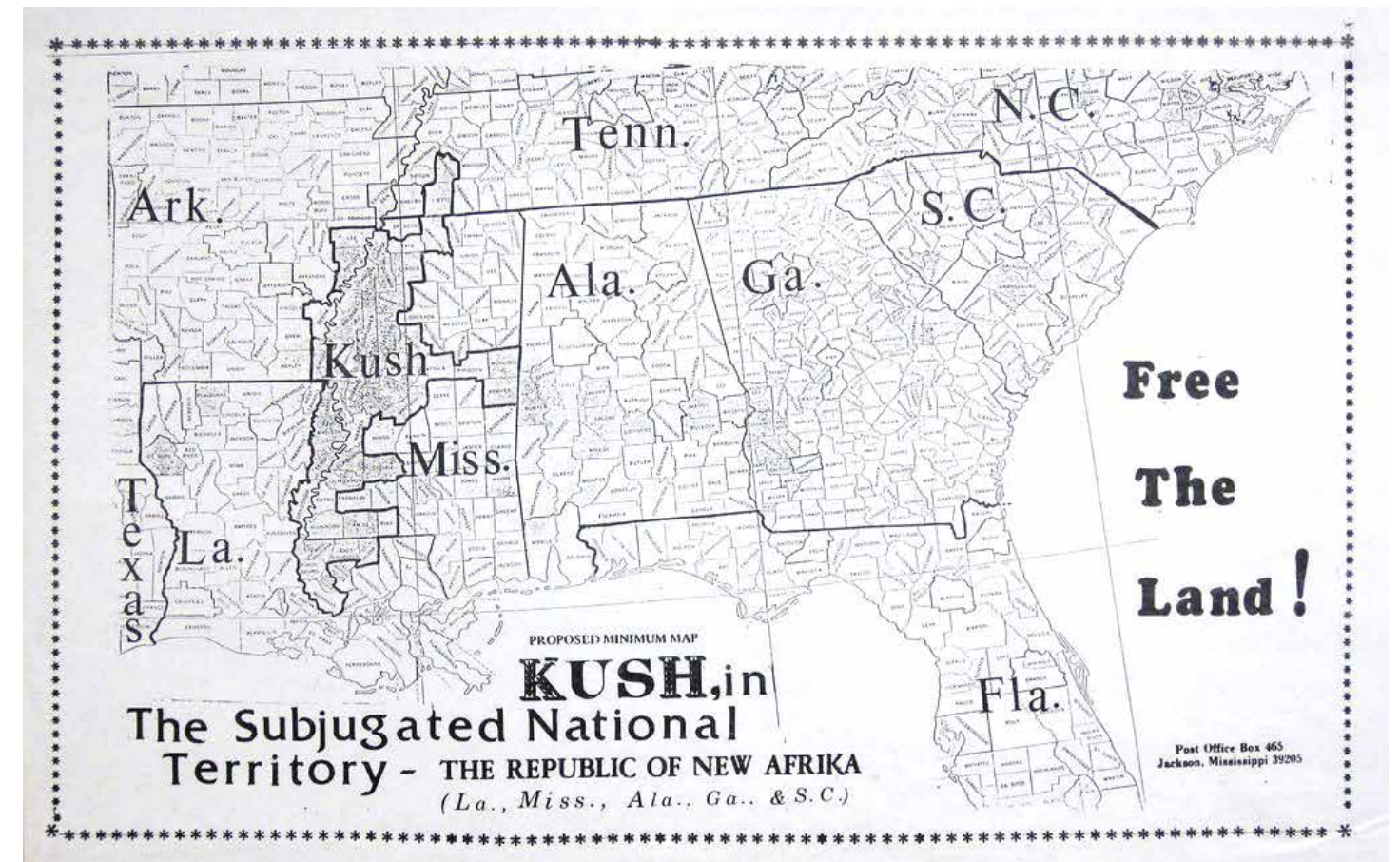
How could social justice, which is in principle a basic duty of any state towards its population, be a substitute for reparations for a crime against humanity which targeted a specific human group and continent, namely Black people from Africa? With her statement, the U.S. activist was offering her radical credentials to prop up a wide-ranging political project of substitution: mollifying memorializations, the “*devoir de mémoire*” (the duty to remember) as substitutes for an unflinching and concrete examination of the multiple, age-old crimes that profoundly shape France and the territories it colonized. Furthermore, Davis pulled off the amazing feat of excluding from this discussion the descendants of enslaved people who already have a hard time making themselves heard, stuck that they are between the erudite discourse of the so-called white specialists and the constant accusations of self-victimization hurled at them by the opponents of “*repentance*” (a derogatory word used by French reactionaries to discredit any attempt to acknowledge the crimes of colonialism).

The next day, in Port-au-Prince, Haitian people, who did not seem to share Ms. Davis’ opinion, greeted French president François Hollande chanting “Reparation!” and “Restitution!” Hollande had made a promise: “When I come to Haiti, I will, for my part, settle the debt that we have.” Of course, it was never part of his agenda to pay back the unspeakable ransom of 90 million gold francs that was imposed on the first Black republic when it proclaimed its independence and which has been weighing heavily on Haiti’s economic development to this day. Hollande had only planned to shake a few hands, blurt out excuses with a perfunctory demeanor and hop on his return flight. In France, any serious grasp of reparations goes against state strategies that are crystalized in the 2001 “Taubira Law” (named after

the Guyanese member of Parliament, former pro-independence activist turned social-democrat, Christiane Taubira) recognizing the Atlantic slave trade as a crime against humanity: a lot of memorializing, universalist rhetoric, mention of the incommensurability of the crime, talk of reconciliation and a “*citoyenniste*” discourse for the descendants of enslaved people, both in France and in the still colonized territories — “*citoyenniste*” refers here to the ideology of the forced use of a construed concept of citizenship to quell any radical aspirations for emancipation. What is crucial here is to remain strictly within the realm of mere discourse, of solemnities, of the symbolic and to stay the furthest away from any concrete measures. Except for the creation of useless and labyrinthine committees and a few memory spaces full of untruths and universalizing propaganda, spaces like the Memorial ACTe (Caribbean Centre of Expressions and Memory of the Slave trade and Slavery) in Pointe-à-Pitre, Guadeloupe.

In 2017, the former president of the CNMHE (National Committee for the Memory and the History of Slavery) and at the time head of Repairs, Myriam Cottias had also voiced in an interview to the CNRS journal her reluctance about awarding financial reparations. She furthermore intended to make the question of slave-owners receiving compensations from France more complex: “Things aren’t as binary as we sometimes think: amongst the people who were compensated, we find free people of color. They were freed slaves who had in their turn become slave-owners. We tend to see slavery only through the lens of the white/Black racial opposition, but we forget that it was also an economic and social system.” The “free people of color” argument and the “Africans selling other Africans” argument are cut in the same cloth: there will always be collaborators, it does not alter the intrinsically racial aspect of slavery. As for the rest of the quote, it verges on tautology: a system is always both economic and social. Interestingly, she had insisted a few lines above that “heavily racialized social relations still shape to this day American society,” as if there were not as heavily racialized in France.

Working on colonial history and justice within a French institutional framework is a conundrum since it threatens to blow up the republican, colorblind paradigm — a paradigm that the elite (both intellectual and political) has been excessively using so that they can bury their heads in the sand about the countless structural inequalities that stems from it.



That an overwhelming guiltiness should fall on white Europe, on industrialists, on ship owners, on cities like Nantes and on ship-owning French families who tremble at the mere threat of their names being publicized seems an unbearable idea. To contemplate that we should connect this history with our present conditions, namely that history should meet sociology appears to them as the worst case scenario.

The imperialist debates about the restitution of artworks that were looted in Africa are enlightening too. While restitution should be a prerequisite to any talk about reparations of the damage done, the thieves-looters have the nerve to set up inquiry committees to assess if African countries are capable of housing the artworks in decent conditions and pontificate on the exceptional inalienability of French law on public collections. In the meantime, the theft goes on. The simple act of handing back seems to be unfathomably complicated. All this reveals a deep-rooted attachment to property, to the looted goods, just like the Haitian debt. Just like the colonized territories that Guadeloupe, Martinique, Guiana, Réunion, Mayotte, Kanaky, Tahiti still remain to this day. What is at stake here for France is to never release its iron grip.

The issue of reparations cannot only be summed up as a solely economic question but the combined refusal of nation-states and capitalist slavers reveal the radical lack of sincerity and the emptiness of the state’s approach. This should convince us — if we ever needed any convincing — to give up on the childish illusion of state reparations. We can only rely on independent initiatives, on transnational collaborations and on the continuous building of a balance

of power, to work on reparations as a whole: psychological, moral, social, economic, cultural, religious and so on. If one tackles the history of slavery fully, it amounts to nothing less than a declaration of war on the French nation, its glue and its citizenship. This history resists any saving and amending of the Republic, of its police and racist prisons and its imperialist corporations. This history radically resists any desire of taking capitalist catch-up sessions which is something that transpires in the demands of some reparations proponents. This history viscerally resists the anti-migrant rhetoric of the U.S. pseudo-movement ADOS which willingly ignores the way anti-Blackness functions on a global scale.

To us, reparations are in no case exclusively owed to descendants of enslaved people — a restriction that states harness as a means of division — they also apply to the territories on the African continent that were victims of a demographic drain that reached industrial proportions. And let us not forget that countless deported and enslaved Black Africans never have descendants who lived to see the abolition of slavery.

Our vision for reparations couldn’t care less about exceptions, about rich Black people or presidents, or clichés about Africans selling other Africans. Our vision does not care for what the State allows us and the crumbs it gives us. Our vision should irk. Clash. Disrupt the stiff expressions during insincere commemorations. Collide with continuums and status quo. Bring together. Cleave. Explode. Expropriate. And of course, it may be violent. And beautiful. Beautiful like a statue of Schœlcher crashing down on the scorching asphalt of Fort-de-France, in the month of May.

Prospective and dissentive map for the Republic of New Afrika. / Pennsylvania State University.

“THE ISSUE OF REPARATIONS CANNOT ONLY BE SUMMED UP AS A SOLELY ECONOMIC QUESTION BUT THE COMBINED REFUSAL OF NATION-STATES AND CAPITALIST SLAVERS REVEAL THE RADICAL LACK OF SINCERITY AND THE EMPTINESS OF THE STATE’S APPROACH.”

“WORKING ON COLONIAL HISTORY AND JUSTICE WITHIN A FRENCH INSTITUTIONAL FRAMEWORK IS A CONUNDRUM SINCE IT THREATENS TO MAKE THE REPUBLICAN, COLORBLIND PARADIGM EXPLODE.”



Screenshots from a video of the 15th occurrence of "Korvwa Pou Réparasyon" by the MIR-Martinique (International Movement for Reparations) in May 2015.

When the State Takes Care of Business ///

"*Tous nés en 1848*" ("We were all born in 1848"). This chilling catchphrase alone, which was coined by the 150th anniversary of the abolition interministerial mission, encapsulates the project of rewriting history and consequently, the national narrative. The ideological designs behind this birth proclamation are crystal clear: overnight, the slave empire was supposed to have turned into an abolitionist republic eager for fraternity. And the fact that slaveholders were compensated by the French state after the 1848 abolition, that's a mere trifle!

On May 23 of that same year, 1998, tens of thousands of people took part in a silent march through the streets of Paris. This grassroots counter-action was a turning point in the way the history of slavery was broached, as it marked the sudden entry of another memory of slavery in French public spaces and discussions: the memory of afro-descendants — the "sons and daughters of Slaves" as some placards read. This power move would prove to be a decisive pressure in order to convince that a form of recognition of slavery as a crime against humanity must be acknowledged formally in the legislation. However, this "dissenting" vision carried by the Comité Marche du 23 mai 1998 (created after the march) and state policies eventually converged, imposing the terms of the debate to this day and what is off-limits. The favored approach, the consensus is the inclusion within a corrected "*roman national*" (the national narrative). The "memorializing" approach took roots as follows: during talks with the socialist parliamentary caucus, the dubious expression "*devoir de mémoire*" (duty to remember) acted as a consensus-winning magic formula for Christiane Taubira as she had to deal with the outrage some felt at the use of the expression "crime against humanity" and the word "deported" (the latter was expunged from the bill in the end).

In 1999, Minister of Justice Elisabeth Guigou, backed the bill, stating: "Indeed, to call slavery a crime against humanity, is first to settle the debt towards all the sacrificed generations and their descendants who still bear the marks of this suffering. It's what we call the duty to remember." Article 5 about "a committee of qualified people" being "tasked with assessing the damage suffered and examining the conditions of reparations due as a result of this crime" was removed. On May 21, 2001, the Taubira Law unanimously passed in Parliament — a testament to how innocuous it was. In government discourse, "*le devoir de mémoire*" becomes a substitute for reparations. The descendants of enslaved people will have to be satisfied with the commemorative events of abolition and the addition of a few chapters in school curricula. The State has neither conscience nor morals, it only has interests. The rest is mere decorum and cosmetics. It is a mistake to think that the Taubira Law just finished off the podium. To think that "it's better than nothing" is another one. This is all part of the same criminal dynamic.

1848, year zero, it is the same sleight of hand that is performed in Nantes (where some members of our collective live) with the Memorial to the Abolition of Slavery, a monument which enshrines the city's supposed involvement in the abolition of slavery. The reality is that the ship-owners of the main French slave trading port carried on their transatlantic slave expeditions to deport captive Africans for 13 years, well after it was made illegal in 1817. And they did so on a massive scale.

The election of the Socialist mayor Jean-Marc Ayrault in 1992 ushered in a long campaign to overhaul the city's identity, with the goal of gaining international recognition. It's within this framework that Nantes' revisionism has to be understood. "To tell our history [...] without looking for

culprits," Ayrault would conclude to the great relief of the ship-owning families. Rather than making sure that the truth emerges and circulates, Nantes banked on empty symbols, spurious memorializing, collective emotion and a reconciliatory rhetoric. The specifications for the memorial were simple: no guilt, no repentance, no reparations. It was inaugurated in 2012 and was even hailed as a courageous initiative! Fitting perfectly in the colonial urban marketing of the town, the slave-trading past buried in the memorial, an underground passageway, is rather muted. The most meaningful data — the name of the ships and the dates of departure — are to be found above, on the surface, inside small glass cobblestones on which you can easily step without noticing. Nothing unsettling or accusatory... Once the visit is over, the self-absolved city, France and whiteness can rush light-heartedly to the giant mechanical elephant of the Royal de Luxe street theatre company — one of the many colonial elements in the city's touristic apparatus, the elephant trudges all day long for the tourist's pleasure.

Is it any wonder that in 2019, during the introduction to a movie about the 1947 Malagasy Uprising, a white city employee was all smiles when she spoke and announced that that the city had planned recreational activities around slavery, notably an escape game? France carried out a massacre in Madagascar and the room was full of the heirs to these violent parts of history but what mattered above all was to make it more playful for whites. The retraumatization of Black people is a non-issue to them. When the State is involved, suffering becomes fictional, just like the specificity of anti-Black racism, which unsurprisingly always goes unmentioned. As a matter of fact, some local activists are bitterly disappointed in the rather odd absence of the Black Code amongst the texts spotlighted in the underground passageway of Nantes' memorial.

"Even the French State is for reparations!" Guadeloupean trade union leader and pro-independence activist Elie Domota quipped in 2016, as he called out the farce that is the state's "reparationism." "As soon as they open a museum or they put a chair somewhere, they tell you that these are reparations and they're done with you." Some changes in a textbook, a renamed street, a consultation on restitutions, etc. If the State should but lift a finger, it's to its credit, as if you were congratulating a serial killer for being kind enough to hold a door open for you. In the meantime, despite the *petits fours* and the gospel songs, the crime goes on.

The Crime Goes On ///

The same month of May when Angela Davis was enlightening all the swells of Nantes, we met in the same city, this time during a maroon commemoration, Ramata Dieng, the co-founder of the Collectif Vies Volées (Stolen Lives) and sister of Lamine Dieng, a young Black man who was killed by the police in 2007. She had been invited by local reparations

activists. Over the years she's been fighting for justice and meeting people, Ramata started seeing a direct thread running between the absence of justice and reparations for the crimes of slavery and the enduring devaluation of Black and other non-white lives of which her brother's killing is a direct consequence. She got in touch with the MIR-France (International Movement for Reparations) and joined it as one of its members. The association has never stopped supporting her fight for truth and justice ever since — for instance, the MIR donated to the crowdfunding campaign for the post-production of our documentary movie *Dire à Lamine* (2018). "As long as there are no reparations for this crime against humanity, I think that this kind of sub-humanity in which we were plunged will continue to have consequences. Consequences that bear the name of Lamine, Théo and the young Traoré and so on and so forth" historian, activist and member of the MIR Rosa Amelia Plumelle-Urbe explains. This dehumanization is also conducted in the morbid European policies against Africans in exile: police harassment, bone tests, forced expulsions, unlawful mass incarceration in CRA (Administrative Retention Centers), the abandonment of minors in violation with all international laws protecting children, the failure to assist the castaways in the Mediterranean, the funding and involvement in the Libyan Hell rife with tortures, rapes, imprisonment, slavery and ransom. When there are no culprits, what then counts as a crime? If, additionally, these kidnappers, hostage-takers and executioners were paid compensations like in Haiti, Guadeloupe, Martinique, or even in Surinam, what stands in the way of the crime being repeated over and over again?

When slavery was abolished, decrees were issued to extend the ruthless exploitation of former slaves and to keep them de facto under the yoke of the plantation owners. The colony adopted repressive structures: police, workhouses designed to punish vagrancy, work record books, mandatory indentured agreements and so on. Through the system of indentured labor, which aimed at thwarting the demands of black workers, plantation owners recruited, via the colonial administration, an Asian and African workforce. Among them were Indians, Chinese people as well as captive or enslaved Africans who had been bought back then sent to the Caribbean. Forced recruitment, unclear contract terms, breaches of the duration of the contract as well as of the right to return were commonplace. And the working conditions were very similar to those in place during the not so bygone days of slavery. How could it have been another way in a context where former slave-owners and slave traders had not been criminalized? A century later, the gruelling working conditions remained tainted by the history of slavery, notably through the unfair system of piecework. In 1974, the plantation workers striking in Chalvet, Martinique — whose demands already included cutting the use of the pesticide Chlordecone — as well as the deadly repression that ensued are a testament to this legacy. Here like everywhere else,

"RATHER THAN MAKING SURE THAT THE TRUTH EMERGES AND CIRCULATES, NANTES BANKED ON EMPTY SYMBOLS, SPURIOUS MEMORIALIZING, COLLECTIVE EMOTION AND A RECONCILIATORY RHETORIC."

"A CENTURY LATER, THE GRUELLING WORKING CONDITIONS REMAIN TAINTED BY THE HISTORY OF SLAVERY, NOTABLY THROUGH THE UNFAIR SYSTEM OF PIECEWORK."

"IN THESE SO-CALLED 'OVERSEAS TERRITORIES,' THE PERPETUATION OF THE COLONIAL STATUS IS CARRIED OUT BRAZENLY. THE ECONOMIC AND RACIAL STRUCTURING OF POWER CAN BE EASILY OBSERVED AT ALL LEVELS IN SOCIETY."

the congenitally imperialist nation-state has steadfastly demonstrated its inability to treat with fairness and dignity populations that it once struck with a deficit of humanity.

Each new crime is either hidden or denied. And, if the crime is too obvious, it is the subject of a dishonest, convoluted discursive deployment that aims at shifting away from the question of who's to be held accountable. The ecocide that is the chlordecone poisoning of the people and the soil is a baneful contemporary example of this logic. On September 27, 2018, Emmanuel Macron stated: "We have collectively chosen to keep on using Chlordecone whereas other territories had stopped using it long before us. Besides, we kept using it because the State, local elected officials, economic players accepted this situation." Once again in State discourse, the criminal "we," that is to say the State jointly with the "béké" caste (descendants of compensated slave-owners) miraculously turns into a collective "we" that makes populations who had no control whatsoever, responsible for their own sufferings. Within the colonial paradigm, justice is always impossible, anachronic, the victim always becoming complicit. In these so-called "overseas territories," the perpetuation of the colonial status is carried out brazenly. The economic and racial structuring of power can be easily observed at all levels in society. The devaluation of Black (and other non-white) lives manifests itself in criminal health policies and derelict public infrastructures (schools, hospitals). The sensitive issue of access to water due to recurring water supply cuts and contamination illustrates how poor the quality of public services are.

Fenced in by intensive monoculture on one side and monopolies in the large retail sector on the other, the population has to pay astronomical prices for basic necessities, which was one of the causes of the massive 2009 strike movement. The simplified joint-stock company GHB perfectly epitomizes what the continuity of predation is. GHB represents the Hayot family, who had been slave-owning colonizers in Martinique since the 17th century and made a fortune in the sugar industry and banana plantations — and the commercialization of Chlordecone. As crop production collapsed, the company still maintained its rum production, but chose to specialize in large, mass-market retail — both group purchasing organizations and large retail outlets under various names including the franchise Carrefour — and car sales. The company has now set up in the Caribbean, the Indian Ocean, in Kanaky, in Africa, and in China. In the Caribbean and recently in Réunion, civil society organizations have kept calling out monopoly positions, predatory pricing and the exploitation that workers are subjected to.

We also think that one of the most egregious legacies of slavery and the control over bodies is to be found in the fact that the most repressive criminal policies are implemented in these territories and that the overcrowded prisons there are in an extreme state of dilapidation. The number of courses in high school and higher education is extremely limited and the unemployment rates are two to four times higher than in France. Little opportunities are afforded to the

youth, whether it be training and studying choices or available jobs. For these "overseas departments" the French State only contemplates futures made of constant predation and minimum public services. The Chlordecone poisoning rate which reaches 92% of the Martinican population and 95% of the Guadeloupean population is evidence of what looks suspiciously like a genocidal rationale. There, just like in Flint, Michigan, or in the Pacific, where France undertook nuclear weapon testing (from 1966 to 1996), the symbolic tricks did not work wonders. Our lives still do not matter to nation-states that are intrinsically colonial and that we must destroy, here and there, just like their institutions.

Dismantling the World Order ///

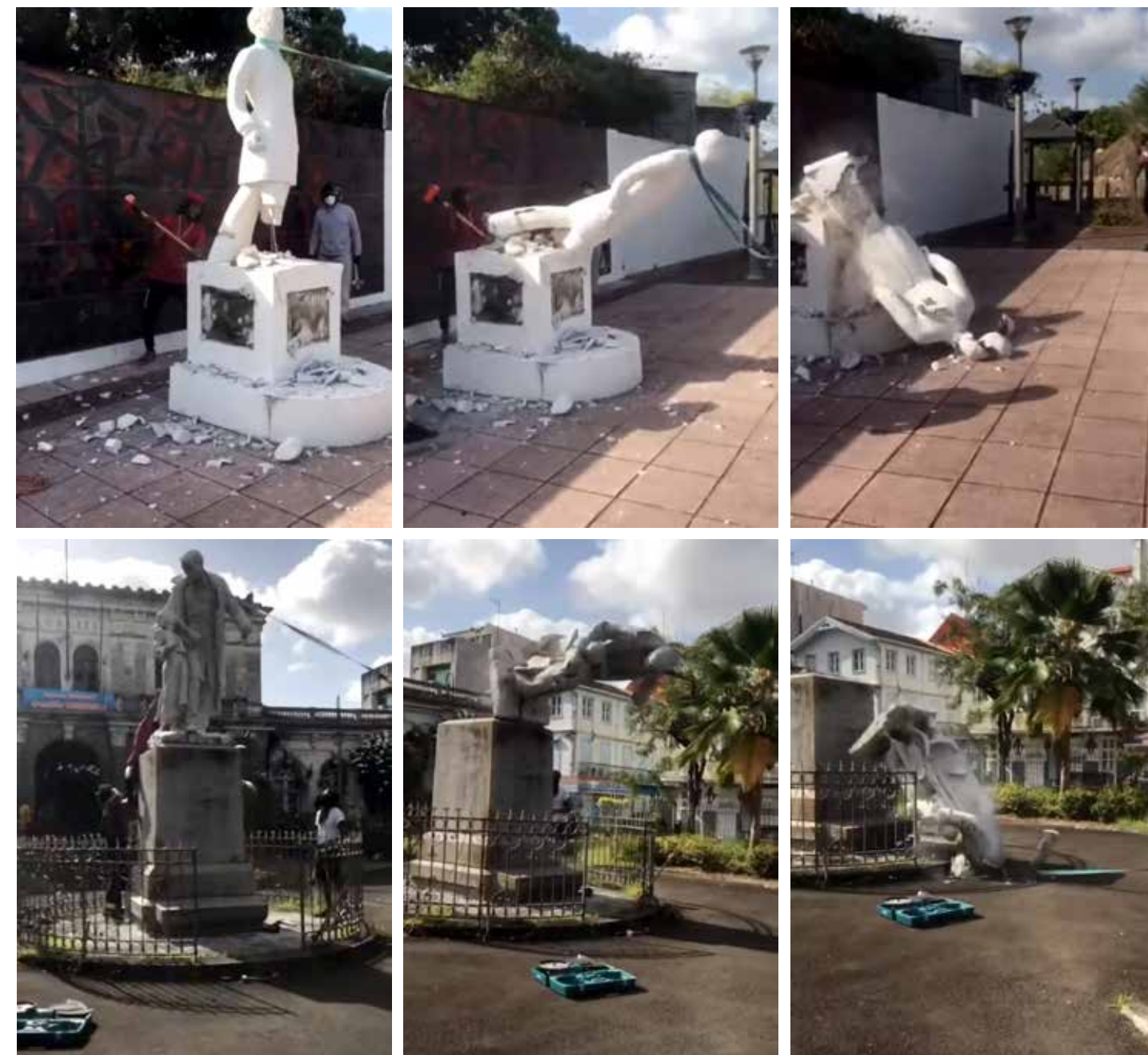
"We can act to create our own autonomous power, our own liberation, against and outside of the confines of the state and capital." (Salish Sea Black Autonomists, 2019)

What makes the radical and unconditional demand for reparations revolutionary is to be found in what it cannot accept to see endure. "To repair" means to dismantle the system and the world order. In the book *Reparations: An Urgent Demand for Humankind* (2020), Garcin Malsa, the president of the MIR, which had filed a lawsuit against the French State in 2005, argues that in the fight for "reparation," "the first step is the procedures that demand reparation to the French State, but the goal of which is to point a finger at at Western global domination and to express one's rejection of the power relations into which the majority of humankind was coerced for the sole profit of a few."

During the 1968 Black Government Conference held in Detroit, activists gave their own answer to the reparation question by adopting a staunch anti-imperialist, internationalist, and socialist line. They called for the creation of an autonomous Black nation, the Republic of New Afrika. According to them, the U.S. nation was doomed, with no hope of redemption and there was no way they would assimilate into this preying empire. At the heart of the RNA's "declaration of independence" stood the question of land and land redistribution. As they understood Black people to be a colonized population, the Republic of New Afrika advocated for their right to secession and self-determination and staked a claim to five states in the Black Belt as its national soil (Alabama, Georgia, Louisiana, Mississippi and South Carolina). Moreover, the RNA gave its support to the fight of First Nations for land sovereignty, to the reunification of Mexico, to the Puerto Rican liberation struggle and more broadly, to all the liberation struggles waged on U.S.-colonized land.

For one of the crucial stakes in demanding reparations is the formulation of the coloniality of power and the criminalization of guilty nation-states so that they may be dissolved, destroyed. The projects of the MIR or the RNA assert and embrace conflictuality. They do not lament the incompleteness of some fantasmatic citizenship projects. In the same vein, the Frantz Fanon Foundation, the Guadeloupean organizations COSE (West Sainte-Rose and vicinity collective), UGTG (General Union of Guadeloupean Workers) and LKP

"FOR ONE OF THE CRUCIAL STAKES IN DEMANDING REPARATIONS IS THE FORMULATION OF THE COLONIALITY OF POWER AND THE CRIMINALIZATION OF GUILTY NATION-STATES SO THAT THEY MAY BE DISSOLVED, DESTROYED."



(Liyannaj Kont Pwofitasyon/Alliance against hyper-exploitation) filed a lawsuit against the French State in May 2016. Besides land ownership and the QPC concerning the compensation law for slave owners (a QPC is an application for a preliminary ruling on the conformity of a legislative provision with the Constitution), their demands also included the appointment of experts "to shed light on the damage suffered by the Kalinas, the first Guadeloupean peoples who were massacred by De l'Olive and Duplessis at the behest of Richelieu and whose land was stolen."

Harking as far back in the past was a direct attack on the essence of Guadeloupean territory. For our healing cannot align with the denial of the massacre of Indigenous peoples, the invasion of their land in Guadeloupe, but also in Canada or the United States. To never abandon our quest for historical justice for those who were victims before us, is to demand the final demise of the empire ; such demands are conflictual and transnational. They proclaim that imposing States, national languages, frontiers, colonial onomastics is of an

intrinsically crushing and destructive nature. And this faith in oneself, in ourselves, in new beginnings, is the faith in the Tai-no name "Ayiti" against the colonial one, "Saint-Domingue."

Reparations are not about imagining us in a better position in a capitalist rat race but, rather, it is about cursing it. It is not about imagining a better, "repaired" West but, rather, about taking it down; for good. ■

Collectif Cases Rebelles is a France-based, anti-authoritarian, panafrevolutionary, Black political collective fighting against all forms of oppression. On their website, they publish a monthly podcast, political essays, interviews, reviews and articles on black cultures and struggles across the world. In 2017, they wrote 100 portraits contre l'état policier, and in 2018, they released the film Dire à Lamine. They also edited and translated the first French edition of Assata: An Autobiography by Assata Shakur (PMN, 2018). In 2020, they launched their small press.

Screenshots of a video showing Martiniquean activists in Schoelcher and Fort-de-France, toppling two statues of Victor Schoelcher, the French politician who wrote the decree that abolished slavery in French colonies in 1848 and 'generously' compensated the settler beneficiaries of slave labor, whose descendants, the békés, are still the wealthiest exploitants in Guadeloupe and Martinique. / Courtesy of the activists.

STOLEN CHILDREN, STOLEN WAGES, STOLEN LAND, STOLEN WEALTH: REPARATIONS FOR ABORIGINAL AUSTRALIA

AMY MCQUIRE

“Sorry” could not possibly constitute a reparation from the Australian settler State to Indigenous people from the Continent, Tasmania, and the Torres Strait islands. Amy McQuire describes the extent of the past and present theft, as well as reparations models emerging from Aboriginal activists themselves.

Australians commonly think of themselves as citizens of the “lucky country,” a moniker attributed to essayist Donald Horne who said: “Australia is a lucky country run mainly by second rate people who share its luck.” Australians are ‘lucky’, in part, because the continent is resource rich. Mining is a key contributor to the Australian economy, and the mining lobby is so powerful that it not only triggers the downfall of Prime Ministers, but also can, and has, scuttled Aboriginal aspirations — for example, it was responsible for killing national land rights legislation under the Hawke government (1983-1991).

Australians believe these resources are there to be exploited; as a result, the Aboriginal right to protect country — country for which we have been custodians

for over 70,000 years — is seen as a threat. The national Native Title legislation allows for traditional owner groups — those proven to hold an existing cultural connection to the land despite waves of invasion — to negotiate with big mining, but it does not give them the right to veto it. It has meant Aboriginal groups have often been paid pennies in compensation, while big miners become rich off the destruction of traditional lands.

It is clear that Australia is not a lucky country for all, and the wealth is not evenly distributed: some get a bigger part of the “share.” While Australians have some of the highest living standards in the world, Aboriginal people die on average 17 years earlier, are more likely to live in poverty, have higher rates of chronic disease, are incarcerated at sky-rocketing rates, are more likely to live in overcrowded housing or be homeless, and are more likely to be victims of violence. But the language of “luck” has endured because it obscures the historical and current day violence still perpetrated against Aboriginal people. After all, if Australians are “lucky,” then it must mean those who do not “share” the wealth

are simply “unlucky.” And if it is just a question of luck, then there is no need for justice or accountability.

This wealth stems from the theft of Aboriginal land and the removal of Aboriginal people from it, whether it be by introducing diseases, massacres, child removals, protection acts, or through more modern incarnations such as incarceration. But despite the origin of this wealth, there has never been a national conversation about reparations. That’s not to suggest it hasn’t been called for by Aboriginal people. Aboriginal activist Robbie Thorpe has long called for a scheme to “Pay the Rent,” which is a form of reparations in which non-Indigenous individuals would pay rent back to Indigenous organizations and causes, in recognition that they live on stolen land.

On a national level however, governments have proven time and time again that they are unwilling to deal with the legacy of dispossession that the entire country has benefited from at the expense of Aboriginal people. Reparations is drowned out by other more palatable movements like “Reconciliation,” where Aboriginal people are burdened with the work to “move on” and reconcile with white Australia. Similarly, “Recognise” called for symbolic recognition in the Australian constitution while bypassing the fact the nation’s founding document allows parliaments to make racist laws. Not only that, we have seen how Australian governments have treated calls for reparations in the cases of both the Stolen Generations and the Stolen Wages scandal.

Stolen Children ///

In 2007, a landmark decision was handed down in the State of South Australia’s highest court. Ngarrindjeri man Bruce Trevorrow, 50 year old, became the first member of the Stolen Generations to be awarded compensation (\$525,000 in damages, with \$250,000 in interest) in recognition of a lifetime of trauma. Trevorrow had been



taken from his family and placed in state care at only 13-months-old after his mother sought treatment for him at a local hospital. He was not returned until he was a teenager, and by that point, his father had passed away. The court case acknowledged that Trevorrow’s life had been severely affected by his removal: he had struggled with alcohol addiction, had been incarcerated and found it hard to gain employment.

The policies of forced child removal were often justified under the guise of “good intentions” — “what is best for the child” — but Trevorrow’s story showed that to be a lie. He had come from a loving, supporting Aboriginal family, which became apparent in the extensive paper trail that chronicled his parents’ attempts to get him back. It was a consolation for Trevorrow. He told the Guardian newspaper: “The best thing is knowing they never forgot me, my mum and dad. They didn’t want to let me go. There’s proof of that.” Trevorrow’s case was unique in that he went to the courts, and was successful in winning compensation. But it should never have been up to the courts. His story was not an uncommon one, and his victory only furthered calls for reparations for all members of the Stolen Generations. When the South Australian government announced it was appealing the decision, the calls only grew louder.

In 1997, a landmark report, *Bringing Them Home* by the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families had been tabled in the federal Parliament. It estimated that from

1910 to 1970, between one and ten, or as many as one and three Aboriginal and Torres Strait Islander children had been removed from their families. There was no Indigenous family in the country that had not been affected by these policies.

The removal of children, and the destruction of Aboriginal families, was a key plank of the assimilation agenda of governments across the country, and yet the stories of those who were taken, and those who had their children taken from them, were largely missing in the history books. The report gave them a voice and delivered 54 recommendations aimed towards addressing the injustice. The most important was the call for full reparations, which the report defined as having five pillars:

- Acknowledgement and apology
- Guarantees against repetition
- Measures of restitution
- Measures of rehabilitation
- Monetary compensation

However, over the next decade, this sophisticated call for full reparations was watered down into one word: “Sorry.” Prime Minister John Howard (1996-2007) fiercely opposed any apology arguing that Australians should not be held responsible for the actions of their predecessors, and so the debate became concentrated on this one issue at the expense of other measures in the report. Howard had claimed that symbolic gestures

Thousands of Aboriginal protesters and supporters assembled in Hyde Park in Cadi (Sydney) on January 26, 2019, calling for the abolition of Australia Day. / Photo by Holli.

“ON A NATIONAL LEVEL HOWEVER, GOVERNMENTS HAVE PROVEN TIME AND TIME AGAIN THAT THEY ARE UNWILLING TO DEAL WITH THE LEGACY OF DISPOSSESSION THAT THE ENTIRE COUNTRY HAS BENEFITED FROM AT THE EXPENSE OF ABORIGINAL PEOPLE.”

“THE POLICIES OF FORCED CHILD REMOVAL WERE OFTEN JUSTIFIED UNDER THE GUISE OF ‘GOOD INTENTIONS’ — ‘WHAT IS BEST FOR THE CHILD’ — BUT TREVORROW’S STORY SHOWED THAT TO BE A LIE.”

were not important: what was important were practical measures. But his resistance to “Sorry” characterized his paternalistic approach to Indigenous affairs, in which his form of “practical reconciliation” was seen through a prism of white benevolence rather than Black justice. Under his decade-long term, he destroyed the only nationally elected Aboriginal body (ATSIC), took the sledgehammer to hard-fought Indigenous land rights legislation, killed off an Aboriginal devised national employment programs and sent the military into Aboriginal communities under the most racist piece of Australian legislation in modern times, which later became known as the NT intervention.

When Howard was booted from office in 2007, his successor Kevin Rudd announced that he would be delivering the apology as one of his first acts of Parliament. Only a few months after Trevorrow’s historic win, Rudd made good on his promise. He said “Sorry” in front of a gallery of Aboriginal people, and those long-awaited words were broadcast from the lawns outside Parliament House to remote, regional and urban communities across the country. Although Rudd was celebrated for the apology, in the lead up to it, he had refused calls for any form of monetary compensation, ruling out any idea that the apology could be used for either a reparations scheme or litigation through the courts.

Conservative Aboriginal lawyer Noel Pearson had pre-empted the use of the apology to bypass compensation calls when he said in the lead up: “Blackfellas will get the words, the whitefellas will keep the money. And by Thursday, the Stolen Generations and their apology will be over as a political issue.” And that is what happened. Rudd would continue to ride off the kudos off that apology for years, even addressing it as one of the acts he was most proud of when he was dumped in a leadership spill before the end of his first term. But the issue of full reparations — and with it, monetary compensation — was left completely off the table. Not only that, one of the important parts of “reparations” — the part that guaranteed it would never happen again — was never realized. Five years after Rudd’s apology, the rates of Aboriginal child removal grew at exponential rates, and these rates continue to grow. In 2017, Aboriginal and Torres Strait islander children represented one in every three children living in out-of-home-care.

While there have been reparations schemes in some Australian states, it fell far short of what Aboriginal families are owed. The issue of full reparations for members of the Stolen Generations fell off the political agenda. A few months after the apology, Trevorrow passed away, like so

many elders who die before their time. At the time of his passing, the South Australian government had already announced it was appealing his win. It showed again that even while acknowledging the depth of the hurt, Australian governments did not want to help heal it.

Stolen Wages ///

The term “slavery” is not often applied to Australia, and many Australians would balk at the use of the term — let alone the fact they are direct beneficiaries of it. But in the 1860s, “slavery” was used to describe the conditions for Aboriginal workers across the north Australian frontier. Slavery had been outlawed by 1833 across the British Empire, but Queensland and New South Wales had begun using Melanesian indentured labor from the Pacific Islands, which was not technically slavery by name, but largely embodied what it meant in practice. But this trade, known as “blackbirding” was not the only slave trade occurring at this time.

Law lecturer Stephen Gray wrote:

“However the practice did not stop on the frontier. Between the 1860s to 1970s, Aboriginal people were forced into labour on cattle and pastoral stations, with women often working as domestic servants, under state protection acts.”

This legislation controlled every aspect of Aboriginal life, from who you married to your finances. Under this system, governments not only underpaid Aboriginal workers, they withheld portions of the wages, as well as payments like child endowment, pensions and soldier’s pay. Much of this went into trust accounts which were never paid back and helped build state infrastructure. Although nowadays the word “slavery” is seen as a word to be carefully applied, during the days of the practice, it was a term used by those even in close association to it. For example, the Chief Protector in Western Australia — the man who controlled the missions — said openly in 1925 that the treatment of Aboriginal people in the state was a state of semi-slavery, as did the South Australian Chief Protector who said in 1927 that pastoral workers “are kept in servitude that is nothing short of slavery.” Those who worked for, in some cases, a lifetime, never received what they were owed.

This scandal is now known as “Stolen Wages.” It remained largely a hidden history until historians like Rosalind Kidd began digging through the archives. In her home state of Queensland, she made a conservative estimate that \$500 million had been stolen over the decades from Aboriginal workers, with that figure certain



Legendary Aboriginal activist Gary Foley in front of the Victorian Aboriginal Health Service center in Naarm (Melbourne) in October 2019. / Photo by Léopold Lambert.

to be much higher. In a 2010 article she wrote: “One of our enduring myths is that the Australian economy was built on the sheep’s back, that our wonderful rural wealth during the late nineteenth and much of the twentieth century made us the lucky country we are today. We hear little about the huge nameless army of unpaid and underpaid Aboriginal labour upon which this wealth depended; generations of workers who even now are rarely acknowledged.”

This theft of wages had an intergenerational impact and helped keep Aboriginal families in poverty through generations. The state’s history of how Aboriginal people worked for nothing, in a legalized form of “slavery,” was erased. Meanwhile, Aboriginal people — who inherited this poverty — were tarred as “dole bludgers” and “welfare dependent.”

But Aboriginal people continued to campaign for what they were owed. Queensland was one of the first states to offer a “reparations” fund when, in 2002, the state premier Peter Bettie announced he was offering stolen-wage claimants \$55.4 million. The figure — a far cry from the estimated \$500 million — was widely seen as an insult. Many claimants simply refused to apply.

Instead of addressing these concerns, the state government funnelled the leftover money into an education scholarship fund for Indigenous students. It was again seen as an insult — it was money meant for repaying Aboriginal families what they were owed, but instead it was directed towards a scheme that should already be state government expenditure. With an apathetic and demeaning response from successive state Queensland governments,

“THIS THEFT OF WAGES HAD AN INTERGENERATIONAL IMPACT AND HELPED KEEP ABORIGINAL FAMILIES IN POVERTY THROUGH GENERATIONS.”

“WHILE THERE HAVE BEEN REPARATIONS SCHEMES IN SOME AUSTRALIAN STATES, IT FELL FAR SHORT OF WHAT ABORIGINAL FAMILIES ARE OWED. THE ISSUE OF FULL REPARATIONS FOR MEMBERS OF THE STOLEN GENERATIONS FELL OFF THE POLITICAL AGENDA.”



First day of the Aboriginal Tent Embassy on January 27, 1972, in front of what was the Australian Parliament House in Canberra back then. Left to right: Billy Craigie, Bert Williams, Michael Anderson and Tony Coorey. / Collection of the State Library of New South Wales.

Stolen Wages claimants took it to the courts. In a class action led by Aboriginal man Hans Pearson representing 10,000 claimants, they argued in the federal court that the State had breached its duties as a trustee by taking the money and never paying it back. In 2019, they won a historic settlement of \$190 million. It was still far from what was owed, but it demonstrated the historic wrong and put the state-run reparations fund to shame. There is a reason why Australian governments refuse to compensate Aboriginal people for past wrongs. It has nothing to do with luck, and everything to do with history. This country is built on a stolen wealth. And for all the empty gestures over the years, it has never paid it back.

Stolen Land ///

On January 26, every year, Australians celebrate the arrival of the First Fleet into Botany Bay. For them, it marks the beginning of British settlement in this country. For Aboriginal people, it represents a day of mourning. It is the day that symbolizes the beginning of the invasions into Aboriginal lands and everything that came afterwards: the diseases, the massacres, the rapes and the destruction of country. But it also represents survival and sovereignty. As Aboriginal people continue to march in protest of this day, there is a recognition that there has been, and will continue to be, an ongoing resistance. There is a resistance, because sovereignty was never ceded. Aboriginal people never gave permission for the British to take control of this country. No treaty was ever signed.

As Gomeroi writer and lawyer Natalie Cromb wrote in 2019, under English law, land can only be acquired in one of three ways:

“through settlement, where territory is uninhabited and the ‘settlers’ bought with them English law; through conquest, where territory was inhabited and the native laws survived, provided they weren’t discordant with the laws of the Crown; or through cession, where the territory was inhabited and the sovereignty was ceded to the Crown.

[...] The prevailing legal doctrine is that Australia was ‘acquired through settlement’ — despite the presence of an Indigenous population.”

In order to claim this settlement, Aboriginal people would have to be painted as “inferior” and “uncivilized,” their land left uncultivated despite a sophisticated system of land management that spanned the breadth of the continent and which was intimately tied in with spirituality and kinship. Instead, there was a legal fiction that was applied: the doctrine of “*terra nullius*,” or “land belonging to no one.” That fiction was overturned in the 1992 Mabo High Court case, which led to legislated Native Title, a form of federal land rights, but which many Aboriginal groups consider a very weak form of land justice.

As constitutional law expert and Gubbi Gubbi woman Professor Megan Davis writes:



“Sovereignty was not passed from the Aboriginal people through any significant legal act. The British did not ask permission to settle. Aboriginal people did not consent and no-one ceded. This is the source of disquiet. This is the grievance that must be addressed. The further we are from 1788 the less inclined the state will be to address this.”

Australia’s refusal to deal with the original sin at the heart of this country has relegated any conversation about reparations to the fringe — outside of the narrow spectrum of acceptable debate permitted on the state of Black and white relations in the country. It becomes not a debate about what is owed to Aboriginal Australia, but instead what Aboriginal Australia wants to “take.” After Native Title, Aboriginal groups were victim to a fear campaign that accused them of coming for beaches and parks across the country. In the lead up to the apology to the Stolen Generations, survivors were accused of simply looking for money, for compensation, despite having a right to it, as shown in the Trevorrow case. And workers and their families who had been left in intergenerational poverty despite working for a lifetime, were met with insulting figures that not only did not cover the cost of their stolen wages, but also the pain from being kept in a form of slavery.

Because Australians are complicit in this amnesia of our true history, they are able to believe and perpetrate this lie: that Aboriginal people who call for reparations just want a “free ride.” However, Australian prosperity would not exist without Aboriginal poverty. And the only way to begin healing past wrongs is through an acknowledgment of the true history and full reparations. ■

Amy McQuire is a Darumbal and South Sea Islander journalist and writer with 12 years experience in Aboriginal and independent media. She has been the editor of the *National Indigenous Times* and *Tracker* magazine. She is currently a PhD candidate at the University of Queensland looking at media representations of violence against Aboriginal women.



The Aboriginal tent embassy today. / Photos by Kev Hughes (2019) and EQRoy (2016)

“BECAUSE AUSTRALIANS ARE COMPLICIT IN THIS AMNESIA OF OUR TRUE HISTORY, THEY ARE ABLE TO BELIEVE AND PERPETRATE THIS LIE: THAT ABORIGINAL PEOPLE WHO CALL FOR REPARATIONS JUST WANT A ‘FREE RIDE’.”

OPEN LETTER TO SYLVIA WYNTER: UNLEARNING THE DISAPPEAR- ANCE OF JEWS FROM AFRICA

ARIELLA AÏSHA AZOULAY

In this moving account, Ariella Azoulay writes a letter to Sylvia Wynter discussing the Black scholar's essay "1492." She passes her reading through the filter of her experience as an Arab-Jew scholar relocated in the U.S. and reckons with the skewed concept of "Judeo-Christianity."

Dear Sylvia Wynter,

I love teaching your texts. They inspire me and stir the mind of my students. Your essay "1492: A New World View" (1995) helped me understand that the entire world as manufactured out of the events of 1492 is in a dire need of repair, a project that cannot be confined to calls for reparations.

Thinking with you about the world wrought by 1492, I am troubled by the use of the term "Judeo-Christian," and this is why I am sending you this note. Unlike other terms, whose origins you carefully question and whose meanings you transform, "Judeo-Christian" stands untroubled in your writing, as if there is a confirmed reality behind it. Judeo-Christian — where? When? In whose interest? Against whom? In service of what kind of world? Often, I wish the texts of authors I like to be flawless. But simply changing, excising, or explaining away the vexed term is not enough. A work is required to show how it was manufactured. I finally found the courage to do this in a letter addressed to you. The term "Judeo-Christian," as I hope you will understand, is in itself a distortion of the work of repair.

Why a letter? Your 1492 text sent me off on a journey, and I feel I owe you a postcard from my travels. I struggled with the writing of this letter, maybe because at the same time I began writing to you, I was also writing a letter to my father who passed away seven years ago. In my letter to my father, I try to reconstruct my failure to grasp the meaning of one brief sentence he told me during a longer interview I conducted for his 65th birthday. He mentioned, in passing, that he was in a concentration camp in Algeria. I had no memory of having heard this, though a few years later, I read it in the booklet that I prepared from the interview. It is as if what he was telling me didn't register in my conscious mind.

Years later, when my friend, the anthropologist Susan Slymovics, asked to interview my father — knowing his age and guessing he might have been in a camp — that I truly *heard* for the *first time* that my father was in a concentration camp.

We never talked about it, though he told me and I heard, he told me and I wrote it down. I know that my failure to hear him the first time he told me is not really mine alone. I could not conceive of concentration camps in Algeria, since as you write, "Man's memories" of World War II were mainly European. Thus, many of the diverse groups that were targeted by the Nazis, the Fascists, and all other imperial powers were omitted from history and their suffering disavowed, to make room for the exceptional suffering and extermination of Europeans of Jewish origin.

In the Zionist state where I grew up — Israel — there was no room for my father's memories of persecution during World War II as an Arab-Jew whose French citizenship was revoked, nor for the vulnerability of Jews in Algeria after the creation of the State of Israel, which was constructed as a Europeanized stronghold against the Arab world. In Israel, where my father migrated in 1949, he was able to take advantage of the World War II imperial bargain, as his French citizenship — given to Algerian Jews in 1870 — meant he could pass for a European Jew (that is, a white Jew), and assimilate, at the cost of forgetting his Arabness. In my letter to him, I'm still reconstructing all he had to omit to sustain the self-deception of being French, despite being continually betrayed by the dark color of his skin, his French accent in Hebrew which Arab-Jews readily recognized as a North African one, and his Arab accent when speaking French.

Your discussion, dear Sylvia, of the substance of memories "we" share, those memories of a white bourgeois mode of being as *the* way of being human, hovers above both my letter to you and to him. After I started to write to you, I soon realized that a postcard was too small for what I wanted to say. But I still want to share the image I had in mind for your postcard. It is a photochrome image of twelve Algerian girls around the age of six or seven, posing for a photograph in a Delacroix-inflected harem-like setting — some idly standing, others at work — at what is an embroidery school for Arab girls, founded by a French woman a decade after the French conquered Algeria.



Any of these Arab-looking girls, whose picture was taken in 1905, could have been my ancestor. The photographs I have of my grandmother in Algeria, taken a few decades later, show her already as a French-looking woman, a Jewish Arab who has learned the lesson of Frenchness this school was established to impart. Where did my great-great grandmother, who was a native Algerian and could have been one of these girls, disappear to?

With the conquest, the traditional craft of embroidery, which had been transmitted intergenerationally, was standardized into a European curriculum emphasizing mechanized movements, "orientalist" patterns, and the French language. The young girls in this photochrome were in training to become a labor force producing for European markets. Look at the synchronized movement of their right hands. No doubt, they were asked by the photographer (or their teacher-patron) to act as if they were in the midst of embroidering. This semi-mechanized gesture is not how their ancestors used the needle, outside of the market logic of French educational institutions. Note how everything is standardized: were there no left-handed girls among them? Was this "flaw" also eradicated, along with previous modes of embroidering? Does the standardization of their work connect to the disappearance of my great-great grandmother?

This lesson of Frenchness, standardization, eradication has a name in French: *laïcité*. The term "secularism" doesn't quite capture the stripping bare the worldliness, or being-in-the-world, of a person, which *laïcité* requires. Part of solving the "Jewish question" in Europe required the refashioning

of Jews as secular Europeans (who could still be "Jews" at home) before they could go in public. With the French conquest of Algeria, the Jews were singled out from the Arabs and were made into a "problem," forced to get rid of what identified them as indigenous, so that a few decades later the colonial regime could reward them for their efforts with the 'gift' of French citizenship. Thinking of this "Judeo-Christian" bargain in relation to the state process of *laïcité* helped me. As my interlocutor, you helped me to identify the "Christian" component in the secular Jew.

Your uninterrogated use of the term — Judeo-Christian — assumes a readership that recognizes itself in it. If you could have anticipated a reaction like mine while you wrote, I am inclined to think that you would have asked more questions about it. It's true, some of your Jewish readers, and maybe also some Christians, may find this category reassuring, a confirmation that the post-World War II bargain, the one which promised Jews whiteness and welcomed them into the Christian-secular world, and offered Christians a way out of their guilt, is respected. I'm Jewish, but I am not one of these readers, and I'm not alone.

As I worked to retrieve memories of my family's Arabness, I joined you in your endeavor to expose Man's memories as simply one mode of being human, a white, middle-class commitment to perpetuate, as you call it, "unimaginable evil." The Judeo-Christian, I begin to understand as I write to you, is one of the latest iterations of the imperial practice of assimilation, one that was materialized on a state-scale with the Christian-European interest in the State of Israel. I was

"WITH THE FRENCH CONQUEST OF ALGERIA, THE JEWS WERE SINGLED OUT FROM THE ARABS AND WERE MADE INTO A 'PROBLEM,' FORCED TO GET RID OF WHAT IDENTIFIED THEM AS INDIGENOUS, SO THAT A FEW DECADES LATER THE COLONIAL REGIME COULD REWARD THEM FOR THEIR EFFORTS WITH THE 'GIFT' OF FRENCH CITIZENSHIP."

Postcard, School of embroidery, Algiers (1905). / Look at the synchronized movement of their right hands. No doubt, they were asked by the photographer (or their teacher-patron) to act as if they were in the midst of embroidering. This semi-mechanized gesture is not how their ancestors used the needle, outside of the market logic of French educational institutions. Note how everything is standardized: were there no left-handed girls among them? Was this "flaw" also eradicated, along with previous modes of embroidering?

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born in this State, Israel, and I grew up to refuse to be ruled by the multiple bargains of its creation. I refused to become a memory-less Jew, whose life was mutated and reformat-
ted to begin only with the creation of the nation-state.

I first read your work around 2012, immediately after I moved to the United States. I was still trying to figure out the shape that my book *Potential History* would take in response to my own migration and my encounter with the afterlives of slavery in the U.S.. I was inspired by your commitment to continually care for a world made through violence.

This care manifests itself quite early in your 1492 text, when you account for the "subjective understanding" of both Columbus ("celebrant") and the Aztecs ("dissidents"), and study the meaning of their respective "glorious achievements." You know that from the point of view of dissidents, it's almost impossible to think about Columbus's "glorious achievements"; but being a dissident yourself, you insist on doing so. It is as if you were saying that without saving some of the world that Columbus's project unleashed, destruction would continue. In other words, the project is not to surren-
der to Man's memories, but rather to rewrite their meanings in conversation with the memories of others — a "conceptual move" into a "realm beyond reason," beyond Man's realm. The paradox, you tell your audience,

"is that all of these technological revolutions have increasingly served to more totally submit mankind to the single Western and, in Clifford Geertz's term 'local culture' memory, that has made it all possible; that in effect has made our gathering here today, with all of us in this room, being able to understand each other, conceivable. Unimaginable evil, therefore, side by side, with the dazzling scientific, technological and other triumphs." ("Africa, the West and the Analogy of Culture – The Cinematic Text after Man," 2000).

It is clear, however, that you are not implying symmetry between "celebrants" and "dissidents," but rather asking "can there be, besides these two, a third perspective?" thus offering a way to engage with the central question that "remains unresolved:" *"which meaning, for what group, and from which perspective — celebrant or dissident?"*

How can dissident's' words oppose violence that has become the norm, and still care for the world which made this normalization possible? You start by refusing to go

past Columbus, rejecting the teleological assumption that anything that has happened was unavoidable. You halt, and transform 1492 into a pivotal moment from which to reconstruct the cognitive and material conditions under which Columbus's enterprise happened but also, *could not have happened*. You reconstruct the challenges he faced while persuading others of his vision: "putting forward the intellectual rationale, in spite of the mockery and derision of the learned scholars of his time." Thus, what Columbus initiated is accompanied in your text by another eventuality: that it could not have happened, that it could not have been imagined. And indeed, you tell us, this work of un-imagining Columbus has already begun, with the anti-colonial and civil rights movements of the 20th century. Let me remind you of this beautiful reversed temporality from your text:

"I propose that such a 'move beyond reason' has already began, even if still marginally so. It began in the context of a 'general upheaval' whose dimensions were, and will be, as far-reaching as that of the intellectual revolution of Christian humanism and humanism out of which Columbus and Copernicus's challenge to the representation systems and categorial models of geography and astronomy was to be affected."

To make it happen, you imply, in a quite W.E.B. Du Bois way, that actions are not enough. Man's fictional memories should be unmoored from shared reality so that the memories of Man's others could be set down. This is what Du Bois did when he wove the un-orchestrated mass flight of slaves into the fabric of a general strike in his account of emancipation.

In your text on the Cinematic text and Africa, you relate to cinema as the vehicle through which memories of Man, etched on celluloid, become etched in people's mind as *their* memories, even if these people are in fact Man's "others." This happens because, as you tell us, these others, even if they radically oppose to Man, were "educated in the Western episteme or order of knowledge which is based on the *a priori* of this conception of the human, *Man*, must normally know the world [...] from this perspective."

Being equally educated in the "Western episteme," I know that we have to unlearn more of Man's memories than we can know when we begin. Since I didn't have to pro-actively unlearn the memories affiliated with a "Judeo-Christian" tradition, I thought that they had not become mine. My first

assumption was that they were not included in the memories infused in the veins of Jews born in Israel. My second assumption was that these memories may not have been transmitted to non-white Jews, meaning non-Ashkenazi Jews, meaning Arab-Jews.

I no longer think so. Wrestling with the normalization of "Judeo-Christian" in your writing, I now understand that the state of Israel is actually the materialization of a Judeo-Christian vision, though it would have been superfluous, and probably also antagonistic, to naturalize this term in a "Jewish state." It is so obvious now. Not only was the state of Israel was created with imperial tools (colonization, partition, deportation, nation-state form); it also replicated the domination of white Europeans of Jewish origin, who turned their way of being Jewish into the only way of being Jewish — a Judeo-Christian Jewishness. In so doing, they imposed the Christian-secular state apparatus (which, in Israel's case is Judeo-Christian) as a universal form. Like other "universal" forms, it is one based on differential and unequal governance. For this project, Europeans of Jewish origins had to be whitened, to refute the proof provided by World War II of their non-whiteness. To be whitened, European Jews needed other Jews to be *their* non-white Jews. This lies at the core of the imperial state.

Jews destroying Jewish worlds didn't start with the aftermath of World War II. Recall the "emancipated" French Jew Isaac-Jacob Adolphe Crémieux, who sought to re-educate Arab-Jews in North Africa and to eradicate their Arabness in an effort to make them French, i.e., secular. European Jews, who negotiated with European governments to aid the movement of Jews from Europe to Palestine, sometimes in collaboration with the Nazis, showed their commitment to the Judeo-Christian impulse to cleanse Europe of its Jews. The memories of the Jews as non-whites, as the white Man's other (alongside the Blacks and Natives), needed to be erased and replaced with something else: the exceptionalism of the extermination of European Jews. It is this trade that gave birth to "Judeo-Christian" as an adjective for a shared cultural heritage. Thus an Arab country, Palestine, was transformed into a piece of property that Europeans, who acted as if they had rights in it, gave as a gift to another group of Europeans (see Edward Said, *The Question of Palestine*, 1992). The gift of Palestine was given in reward for the whitening of the Jews. The crimes against humanity, which Europeans committed on the bodies of Jews for

the sake of racial purification, now became license to Jewish settlers in Palestine to commit crimes on the bodies of the Arab indigenous population. This was the price of their whiteness, and this is how Jews became Christian secularists. This was the triumph of imperial *laïcité*.

The creation of the State of Israel and the imposition of a system of differential citizenship made Arabness a threat. This Judeo-Christian blow to the worldly sovereignty previously shared by Arabs and Jews in Palestine is the latest reiteration of the 1492 Christian purification of the Iberian Peninsula from Jews and Muslims whose blood was not pure.

However, much like previous imperial efforts to rid a nation of racial "impurities," the Zionist purging project failed. Broken promises, histories of suffering, debts, duties, revenge, love, shared habits, mixed languages, images, and cultures escaped any attempt to "solve" their mixture. The question, as you show persuasively, is not if but how what you call "interaltruistic symbolic cospecificity" can be imagined anew.

What is "Judeo-Christian," then? It is the name of a post-World War II onto-epistemological bargain that incorporates the Jew into the Christian paradigm at the expense of a shared Judeo-Arab world. Thus, it is not only about "Man and its others," or maybe never was, since men could not become Man without destroying previous alliances, pacts, and shared worlds, and establishing their domination on and through this dyad. Some, like the Jews, had to be made "other" and then conscripted into Man's projects, before Man could define himself by relation to still-existing others. Hence, since 1492 — and even earlier, perhaps, if one think about the Crusades — targeting the Judeo-Arab world has been one of Man's *raisons d'être*, one that in Palestine becomes not just a Christian but a Judeo-Christian enterprise. The temporal proximity between the invention of the Judeo-Christian (1945) and the creation of the Jewish State (1948) is not a coincidence.

Re-reading your text on 1492, I am struck by how you refrain from engaging the destruction of the Judeo-Arab world, not mentioning, the purging Jews and Muslims from the body politic of Spain and Portugal from that also occurred in 1492. It is not that you are not familiar with this history: you use it as the background for your discussion of Bartolomé de Las Casas and how he "had been trapped by an 'error' of natural reason" ("New Seville and the

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“THE SCHOOLS, WHICH PROVIDED A ‘CIVILIZING’ EUROPEAN EDUCATION, SOUGHT TO UPROOT JEWS FROM THEIR JUDEO-ARAB WORLDS AND REEDUCATE THEM INTO QUASI-EUROPEAN CITIZENS, SEPARATING THEM AND SETTING THEM AGAINST THEIR ARAB CO-CITIZENS.”

Conversion Experience of Bartolomé de Las Casas,” 1984). In that text, written a decade earlier, you use the term “Euro-Christianity.” I cannot help but think that this omission of the other 1492, and the transformation of the term itself, is itself a manifestation of fabricated Judeo-Christian epistemology and dictated by its use.

The violence against non-Europeans and women worldwide, which was required to end World War II and establish a new world order on the ruins, was partially concealed through the spectacle of redress. While non-whites, like in many colonies in Africa or Roma people in Europe, were punished, European Jews were differentiated from others who were equally deserving, and granted redress. For the Jews, the price and the prize was becoming white, i.e., Judeo-Christian.

In the U.S., given that the majority of American Jews came from Europe, the whitening of the Jews was relatively seamless, and took place alongside the whitening of other American immigrant subcultures that had been despised: the Irish, the Italians, the Poles. As I was born an Arab-Jew in a white Judeo-Christian state, treated as such by others earlier than I could claim it as an identity with any self-awareness, my life experience is of a non-white Jew. To my surprise, since I arrived in the U.S. in 2012, I have been read as a white woman. When I understood that this unintended and undesired “passing” actually has a name — “Judeo-Christian” — it annoyed me in two ways. First, the fictional fusion of Jews with their persecutors and the erasure of Jews’ history of being “others”; second, the homogenization of all Jews into a single category, which is a reiteration of the consistent denial of the existence of the Arab-Jew. “Judeo-Christian” denies whole realities: Jews were part of Arab worlds, Jews were part of Judeo-Arab modalities of being and caring. From the 1492 purge of Jews and Arabs from the Christian body politic in Spain and Portugal, Christian European empires reached out to Judeo-Arab worlds in North Africa, South-East Europe, and West Asia and were troubled by them. An emblematic example of this was the establishment of Alliance Israélite Universelle schools in North Africa. The schools, which provided a “civilizing” European education, sought to uproot Jews from their Judeo-Arab worlds and reeducate them into quasi-European citizens, separating them and setting them against their Arab co-citizens.

Whether in Israel, which I left eight years ago, or in the U.S., where I am a legal resident, I am not ready to trade

my life experience as a non-white Jew — a Mizrahi Jew, Sephardic Jew, Arab Jew — for that of a whitened Jew. I refuse to inhabit this position because I do not recognize its legitimacy. In Palestine, it has so often been used to persecute inhabitants, Palestinians but also in different ways Jews, in the name of the modern Jewish nation-state. Here in the US, the recruitment of whitened subjects has assisted in the project of enslavement and the continuing persecution of non-white people.

I have long tried to discuss this with colleagues and friends since emigrating to the U.S., but I sensed that my American friends had no context for what I was trying to say, and the conversation could not go beyond an exoticization of me as an “Arab Jew,” an identity unfamiliar to most of my interlocutors, despite the existing work of scholars such as Ella Shoat or Gil Anidjar. When it comes to official forms where my “race” should be indicated, “Jewish” no longer existed as an option. Every time I have to fill such a form, the census, or when applying for changing my legal status, I find myself pressed to select “white.” In the local context, choosing “white” seems to me to be less of a lie in the eyes of those who check my forms and raise their eyes to look at me to verify my race, than saying that I am Black, Asian, or Native American.

Since I left destroyed Palestine and migrated to the U.S., my engagement with 1948 in Palestine has intertwined with a growing personal and intellectual interest in 1492, in the Iberian Peninsula and beyond. I came to understand what bothered me about the category of the “Mizrahi Jew,” used in Israel to describe Jews from Arab countries. When seen from my chosen research unit of a half-millennia, we see how the idea of the “Mizrahi Jew” caught Jews from Arab countries in a manufactured history that started in 1948 and rendered everything before into a kind of museumified “past.” The category of “Mizrahi Jew” normalizes the dissociation of my family from Algeria, and in a broader way from Africa. You may say, as some have already done with a certain historical and scientific authority, that North Africa is not “Africa.” No doubt, relating to North Africa as a separate region makes sense, but not at the risk of erasing it from the African continent, nor from broader Jewish life in Africa and the Mediterranean world That is, North Africa was part of a Euro-African world long before the inventions of Europe and its other, Africa.

As you can likely guess at this point of my letter, I’m troubled by the disappearance of the Jews from Africa, and more so, by the disappearance of this disappearance from our political and worldly imagination, and see in it the effects of the invented Judeo-Christian bargain that is now at the core of white supremacy. The wholesale differentiation of North Africa from Africa and Europe, like the partitioning of so many other areas in the world, facilitated creation of separate histories for each region, as if each were caught in its own temporality. And this partitioning serves imperial ends by making it impossible to see one global regime that needs to be abolished.

When the life of Jews who migrated (mostly against their will) from North Africa to Israel is reduced to “Mizrahi Jew” and the story of Mizrahi Jews’ oppression in Israel, this narrative becomes an internal discourse among Jews in Israel, as if the departure of approximately 600,000 Jews from Africa has had no impact on Africa. The Judeo-Christian bargain has no place for the disappearance of the Jews from Africa to be thinkable. It was only because I have spent all this time undoing the Judeo-Christian reference that I encountered in a text I love, your 1492 text, that I could think about the centuries of Jewish life in Africa as also an African issue.

To recover this story through the labor and love of family recollection ought to underscore how naturalized this disappearance of Jews from Africa, and Africa from Jews, has been. Not all of us, descendants of Arab Jews, are fortunate enough to have a share in these memories, for many of the parents and grandparents held them privately as part of a disappeared world.

Let me say this bluntly now. I have no memories from centuries of Jewish life in Africa. At the same time I am not inclined to let this manufactured absence determine what I remember and what could and ought to be remembered. I continue to unlearn Man’s false memories in the hope that recollections of shared Judeo-Arab and Euro-African life will become available — “life beyond Man,” as you call it. Think about this series of imperial bargains: European citizenship to the Jews in Algeria for the price of differentiating them from their Muslim cocitizens; reparations to Jews at the end of World War II in place of the abolition of European imperialism which had destroyed their worlds and those of many others; citizenship for all Jews in Palestine as a weapon against the return of Arab and Jewish Palestinians to the homeland they had previously shared.

The right to undo political bargains of this kind is a right descendants in imperial regimes ought to claim to reject ongoing expansion, violence, growth and domination. We have the right to replace these with the principle of repair. In undoing these bargains, we can repair our shared worlds.

James Baldwin and Edward Said, without reading each other’s accounts, describe almost verbatim the same experience. As children, they saw themselves as cinematic heroes from popular culture, chasing the “natives,” and only years later they understood that they were actually running after themselves. Reading them, I could not avoid thinking about my father, who never ceased to run with these villains after himself, without ever realizing it. As you now already know, he was born in Algeria but as a French citizen, though always indigenous in the eyes of the French settlers. Unlike his grandparents, who were likely among those who didn’t embrace the bargain (as I gather from the Arabic name they gave to their daughter, Aicha, a name that I have adopted), my father accepted the bargain. But he also experienced it as constantly under threat, a European citizenship that could be taken away — as indeed happened under the Vichy government, even before he was sent to a concentration camp. Imperial citizenship in itself is a bargain — it is “given” in exchange for loyalty, a bargain that asks the imperial citizen to differentiate themselves from their worldly co-citizens.

My father was born in a world in which the memories of being colonized — the destruction of the Jewish-Arab world of his grandparents and their own grandparents — could not be his, though Algeria was still colonized. He was still surrounded by them, but the imperial bait was already there, luring him to choose alienation from the world of his ancestors in place of a fictitious European identity. I believe that he started preparing himself to become “French” when he was 12 years old. Somehow, so his story goes, he collected a little money to pay for a French company’s correspondence course, training him to become a radio technician and electrician. Radio was his modern time dream. He sought to distinguish himself from his mother and sisters who were still, in his eyes, backward people, while he was already committed to the globalized world transmitted to him through radio waves.

In his own eyes, perhaps, he was never the colonized. As a Frenchman, he had to deny the Arab world he still grew in,

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lest his Frenchness be proven inauthentic. I blamed him for that, in my heart, without ever confronting him about it. Why? It may be that I was as unready as he was to feel the pain of this void. Unlike many of the Jews from Arab countries who were forced to live in transit camps and used as human shields to take over Palestinian villages, my father volunteered to join the Jewish military force and came to Israel of his own accord in 1949, following Zionist propaganda that lured him to believe that the war against the Nazis to save Jews in Europe was continuing in Palestine against the Arabs. Almost everything Arab immigrants brought with them to Israel was denigrated and ridiculed. They were encouraged to unlearn their habits, heritage, much of their food and music, even as their "rescued" culture was preserved in museums and libraries. Imperial logic relies on disrupting intergenerational memories: the parents will die and the children will forget. Used against expelled Palestinians, this logic assume they will forget Palestine. Used against Arab-Jews, it meant that we would grow up to become "Israelis," cleansed of Arab-Jewish memories, alienated from Palestinian culture and learning to see Palestinians as enemies.

I too drank the imperial poison. I also turn my back against my parents. I refuse to share their compliance and identification with the state of Israel. Was it the same? No! My father turned his back against his ancestors and normalized the destruction of their world.

But when I turned my back against my parents, a path was opened toward my great-grandparents and their world. I seek repair. In writing to you, and to my father, I am still searching and researching my memories from Algeria, where I have never been.

The State of Israel is responsible for the destruction of centuries of Jewish life in Africa. It is also responsible for the destruction of Arab Jewish culture among those who migrated to Israel. Israel provided the immigrants with new memories and new origins, ones which disappeared Jews from Africa. For a long time, I could not blame the State because my father had always represented this as his choice. After all, I thought, it was my father who turned his back on Algeria of his own free will. And yet — despite all his efforts to be recognized as a French immigrant, all his acquaintances and friends knew he was Algerian. This was a kind of an open secret, an admission of the implicit racism of Israeli society — that is, being an Arab-Jew in a place built around the hatred of Arabs.

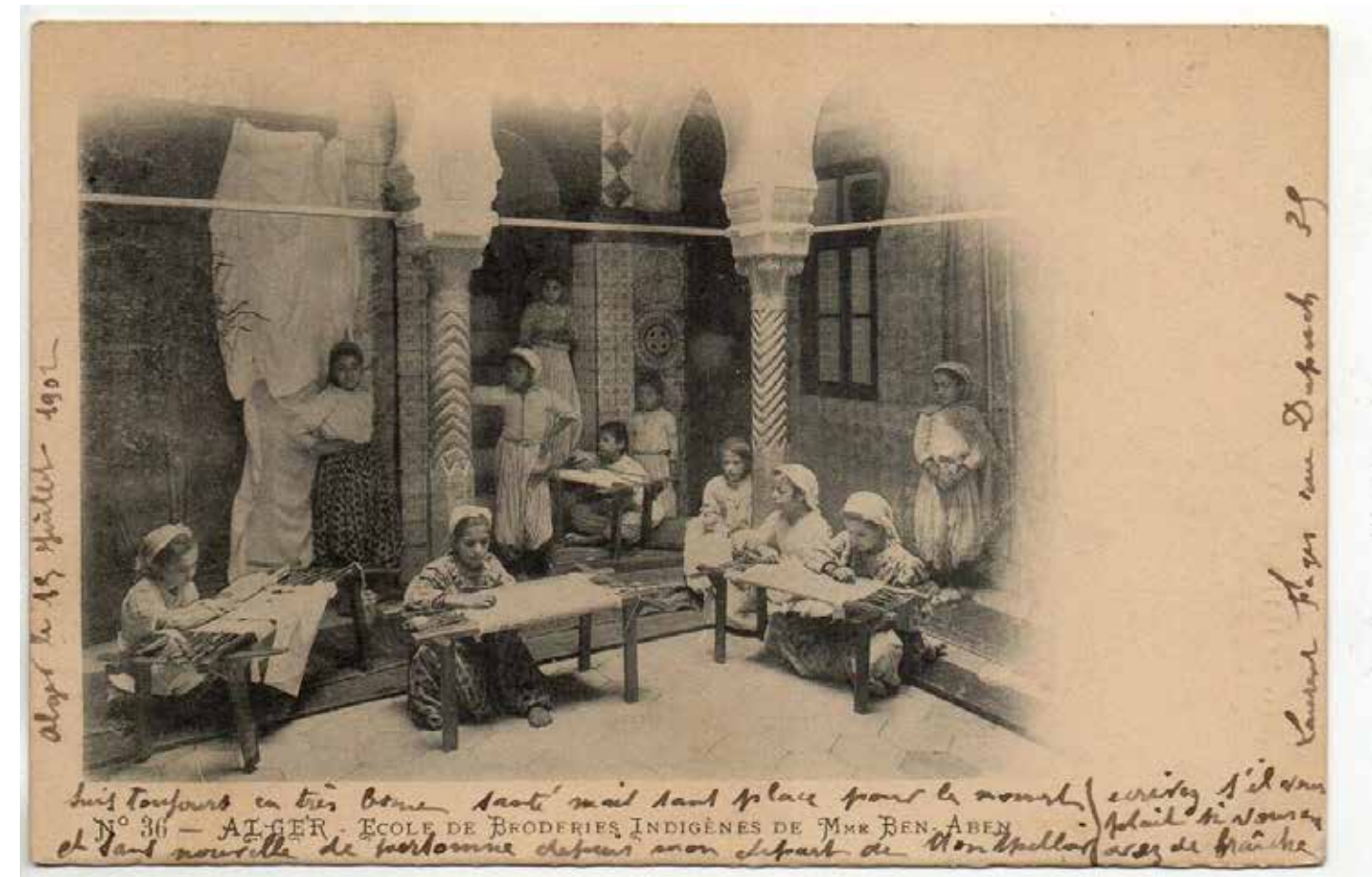
Under the spell of an imperial regime that fabricates people's identities and memories, for years I too felt that I was not truly Algerian. Just thinking about myself as Algerian,

felt like pretending to be who I am not. What kinship could I possibly claim if my father brought nothing with him from Algeria and did his best not to transmit to us, his daughters and grandchildren, anything that we could recognize as Algerian? Thinking with you, dear Sylvia, it became clear that the guilt I felt over being who I am is a feeling stemming from the imperial right bestowed on the descendants of the colonized: the right *not* to transmit earlier shared worlds to their children. The colonized — in this case, my father — are trained to accept this right, to believe that the shared world can become private, something for them to discard, rather than the shared work of a collective. Only because the Jewish communities in Algeria (like in all of North Africa, and across the Middle East), have disappeared, that my father, with his decision, could dissociate me, in an almost irreversible way, from the world of my ancestors, the world of Jews in North Africa, a world that is now believed to be gone.

In my criticism of his choices, though, I failed to appreciate how limited his options were, and the acute distress of being a Jew in a State where your identity was destroyed for the sake of becoming your neighbors' enemy. I had to reconstruct the timeline of his life in order to understand this, reconstruct his experience from books and memoirs, and adopt this as my memory. I came to understand my father's choices not as personal ones, but as choices offered to him from a narrowed imperial menu.

Only once, maybe, did my father ask me to mourn — would he agree with me to call it mourning? — this lost Algerian-African world with him, when he asked me to find him photos of the great synagogue in Oran. One of our family, he said with pride, was a *hazzan*, a cantor, there. After my father passed away, I started to mourn this world I had not been allowed to know. It was the first time I felt sympathy toward my father as an imperial subject. I finally was able to recognize in his life something that I always saw sharply vis-à-vis colonized Palestinians: under the imperial condition, no colonized person could be said to have left their world as they pleased, when they wished to, or in the way they might wish to.

If it were not for the way I was looked at whenever my family name was said — Azoulay, an unequivocally Arab-Jewish name in a Judeo-Christian state — I may have followed my father's path. But I chose to unlearn imperialism: unlearning Israel and acknowledging the existence of Palestine in its place, unlearning the manufactured Israeli identity and recovering the identity of an Arab-Jew, unlearning the disappearance of the Jews from Africa to see this world as disappeared, unlearning "Judeo-Christian" as a fixed term, and recently rejecting (though in this case I had nothing to unlearn) the white womanhood offered to me as a "Jew" in



exchange for being legible in a world in which an Arab-Jew, a Palestinian-Jew or an Algerian-Jew were illegible identities. I will not accept this bargain.

Relatively early in your 1492 text you ask:

"[C]an we therefore, while taking as our point of departure both the ecosystemic and global sociosystemic 'interrelatedness' of our contemporary situation, put forward a new world view of 1492 from the perspective of the species, and with reference to the interests of its well-being, rather than from the partial perspectives, and with reference to the necessarily partial interests, of both celebrants and dissidents?"

and immediately reply that "the central thesis of this essay is that we can." ("1492: A New World View," 1995).

I share your conviction that "we can." I tried in my recent book, *Potential History: Unlearning Imperialism* (2019) to think about 1492 as both a historical moment and a configuration of imperial violence occurring at different moment in different places, which should be imagined as the horizon of return and repair. Thus, 1492 in Palestine is 1948, and in Algeria it is 1830.

In Palestine, the geographical imagination of return is not yet disrupted, and for millions of Palestinians — the expelled and their descendants alike — return means going back to Palestine, a place that for them has never ceased to exist, though they may live as Palestinian-Canadians,

Palestinian-Swedes, Palestinian-Americans. When a return is made reality — and it will be it must be — it is not clear how many Palestinians will physically return. The return though, is of Palestinians as a people and Palestine as a world from which no one should ever have been or be expelled. In this sense, return is the condition of repair, a condition under which justice is renewed as a principle. The return of Palestine and the demise of the Judeo-Christian regime called Israel, the undoing of the Judeo-Christian bargain, is the condition of repair for Arab-Jews, who will no longer have to keep their Arabness apart from their Jewishness. Memories of Arab-Jews of their origins in Africa are needed, in order to imagine Africa not only as a place from which people and resources are kidnapped and extracted, a place from which people emigrate away, but also as a place of hospitality that in 1492 opened its gates to welcome Jews and Arabs expelled from Spain and Portugal.

I hope this will be a beginning of a conversation and others will join us.

Yours,
Ariella Aisha Azoulay, May 2020. ■

Ariella Aisha Azoulay, teaches political thinking and imperial technologies at Brown University. She is a film essayist and curator of archives and exhibitions. *Potential History – Unlearning Imperialism* (Verso, 2019) is her latest book, and *Errata* (Tapiès Foundation, 2019) is her latest exhibition.

Postcard, School of embroidery, Algiers (1905). / Any of these Arab-looking girls, could have been my ancestor. In 1850, a British traveler who visited the school reported: "there were several little Jewesses squatting most amicably among the Mauresques, conspicuous only by their simpler robe of colored stuff and a conical cap of red velvet, tipped with gold lace." In the first decades of the 20th century, postcards of them were sent from to France and other European countries. The photographs I have of my grandmother in Algeria, taken a few decades later, show her already as a French-looking woman, a Jewish Arab who has learned the lesson of Frenchness this school was established to impart. Where did my great-great grandmother, who was a native Algerian and could have been one of these girls, disappear to?

REPARATIVE FUTURITIES: THINKING FROM THE OVAHERERO AND NAMA COLONIAL GENOCIDE

ZOÉ SAMUDZI

In the first decade of the 20th century, colonial Germany committed a genocide of 75% of the Ovaherero population and over half of the Nama in territories that are part of today Namibia. In this text, Zoé Samudzi tells us how reparations here necessarily involves the articulation of a “grammar of futurity.”

Reparations discourses articulate a grammar of futurity: not simply a world that does not exist, but one that *could* be fabricated through attempts to repair historical harm and trauma. The imagining of hypotheticals, the meaningful address of genocidal harm, always demands an ontological shift. Because the world that accommodates a reparation — a wound remedy demanded by an aggrieved party — is not a world that presently exists, it is one that has to be created.

In April of 2019, I was en route to Yerevan, Armenia. In studying German colonialism and genocide, I came to learn about the role Germany had played in the Ottoman genocide against ethnic Armenian, Assyrian, and Greek Orthodox communities. I traveled to Yerevan, due to arrive a few days before Armenian Genocide Remembrance day on the 24th. I was keen to learn about how genocide memorialization functioned both as a government-led nation-state effort as well as some of the constituent non-state parts of the collective memory project. I would later see the country's account of Germany's participation when I visited Tsitsernakaberd, the genocide memorial complex. Fittingly, near the section about Ottoman Turkish concentration camps and the familiar insectified ways that doctors talked about incarcerated Armenians, there were a few panels about German involvement. The Ottoman military was armed by the German companies Mauser and Krupp. And Prussian military officer Colmar von der Goltz, who later served as a military aide to Sultan Mehmed V before the start of the 1915 genocide, penned a text in 1883, *Das Volk in Waffen* (“The People Armed”), which advocated for the intention of military campaigns to be complete annihilation of the enemy — a clear ideological and material inspiration for the carnage that would follow their colonial exercises in subsequent years. In 2016, the German parliament passed a near unanimous resolution recognizing the Armenian genocide.

I planned a 24-hour layover in New York City; I emailed the American Museum of Natural History in hopes that I might be able to access the archival records related to the Ovaherero and Nama cultural artifacts and physical remains held

by the museum. The museum-held remains of these peoples were originally a part of Austrian anthropologist's Felix von Lauschnan's personal collection, which included thousands of skulls of different peoples from around the world. He sold his collection to the museum at the beginning of the 20th century, which doubled the size of the museum's physical anthropology collection and positioned them as leaders in the field. Contrary to art historiography, “collecting is not separate from other foundational practices, procedures, institutions, concepts, and categories operative in the field of art shaped through imperialism,” writes Ariella Aisha Azoulay in her book *Potential History* (2019). These human remains are caught in the convergence of eugenic science and hegemonic curatorial practice; some remains are buried deep in collections and others are displayed, while the collection of Ovaherero and Nama skulls from genocide-era concentration camps lays bare relationships between extractive imperial processes and the formation of the museum.

Germany's colonizing mission in present-day Namibia (then, German South West Africa) came out of the scramble for Africa's regulation of European colonization and trade (more than occasionally a euphemism for “plunder”) on the continent, that is the Berlin Conference in 1884, the year after von der Goltz's penning of *Das Volk in Waffen*. Germany's acquisition of African colonies would enable it to emerge as a *Weltreich* (“world power”) that could compete with England and France, the preeminent colonial powers of the time — Germany's unwavering support for the Ottoman Empire was a gesture to this end. Germany's efforts in its southern African colony strove to create a German homeland abroad: *Lebensraum* (“living space”) was formalized into the geopolitical lexicon by geographer Friedrich Ratzel in his 1897 text *Politische Geographie*, and his appropriation of the word's original use in the natural sciences — it was coined in 1860 with Oscar Peschel's response to Charles Darwin's *Origin of the Species* — biologized the formation of nation-states and their colonial outposts, as well as the racial-cultural identities of the populations that inhabited them. A production of racial geography through genocide is inherited within *Lebensraum* and the romantic nationalist ideals that characterized



imperial German and then Nazi settler expansionism — notions of “living space,” after all, are incomplete without a corresponding *Entfernung* (“removal”) in whatever manner the specific racialized nation-state project entailed. The settler colonization effort was marked not simply by the desire to harness a captive labor force to accelerate the colony's economic development, but to establish dominion over land which necessitated native deterritorialization.

The land, populated by Indigenous peoples had to be cleared — Bench Ansfield describes how racialized geographies of concentrated poverty (here, land inhabited by the primitive Ovaherero and Nama peoples) had to be deconcentrated, which is really “nothing other than spatial and bodily purification of blackness and the environmental conditions associated with this racial classification” (2015). German encroachments eroded relations with the Indigenous people with whom they had previously entered into alliances and evolved into revolts over land and resources — “Let us die fighting!” is the oft repeated battle cry of solidarity Ovaherero paramount chief, Samuel Maharero, written in a letter to Nama chief, Hendrik Witbooi — which formalized into German military strategy in August 1904 with the Battle of Waterberg. Following the replacement of Governor Colonel Theodor Leutwein with notoriously brutal Lt. General Lothar von Trotha (who had previously demonstrated his brutality in military campaigns in German East Africa), the nature of the violence escalated. His October second *Vernichtungsbefehl* (“extermination order”) indicated clear genocidal intent. In threatening all Hereros who did not cede their land with

certain death, all Indigenous people, women and children included, were transformed into enemy combatants by the mere nature of a Blackness (an “otherness”) that presented an obstacle to German claims to land and sovereignty.

Through a combination of starvation-dehydration in the desert, summary execution and defeat on the grossly asymmetrical colonial battlefield, and detention (and the familiar disease, malnutrition, and abuse that accompanies that violent internment) and forced laboring in concentration camps (most infamously at Shark Island), about 75% of the Ovaherero population and over half of the Nama were killed in the genocidal campaign that was the 1904-08 Herero Wars. The German parliament has not passed any such resolution acknowledging its responsibility for this genocide, and to this date has still not repatriated the entirety of Ovaherero or Nama skulls still held in archives within the country.

In light of this history, Tony Bennett writes that the museum “cannot be adequately understood unless viewed in the light of a more general set of developments through which culture, in coming to be thought of as useful for governing, was fashioned as a vehicle for the exercise of new forms of power.” Because of the ongoing class action lawsuit brought against the German government by Ovaherero and Nama descendants of genocide survivors, the museum denied my request for access as well as additional information about when the collection could be viewed again. I contacted the Nama Traditional Leaders Association (NTLA) who were surprised to hear about

A carved mural at the Heroes' Acre, illustrating the evolution of the Namibian freedom struggle: this part depicts indigeneity, enslavement, and rebellion. / Photo by Raymond June (2010).

“THE GERMAN PARLIAMENT HAS NOT PASSED ANY SUCH RESOLUTION ACKNOWLEDGING ITS RESPONSIBILITY FOR THIS GENOCIDE, AND TO THIS DATE HAS STILL NOT REPATRIATED THE ENTIRETY OF OVAHERERO OR NAMA SKULLS STILL HELD IN ARCHIVES WITHIN THE COUNTRY.”

“SOME REMAINS ARE BURIED DEEP IN COLLECTIONS AND OTHERS ARE DISPLAYED, WHILE THE COLLECTION OF OVAHERERO AND NAMA SKULLS FROM GENOCIDE-ERA CONCENTRATION CAMPS LAYS BARE RELATIONSHIPS BETWEEN EXTRACTIVE IMPERIAL PROCESSES AND THE FORMATION OF THE MUSEUM.”



Top left. From the very top of the Independence Museum in the capital, you can see into the adjacent fortress, Alta Feste, which was the headquarters of the imperial German Schutztruppe (colonial army). Inside the courtyard, you can see the Reiterdenkmal, the monument to Germans killed in the Herero Wars and the 1908 Kalahari Expedition and a representation of German domination over South West Africa. It has been stored inside Alta Feste since its removal from the front of the fortress on Christmas Day 2013. / Photo by Zoé Samudzi. **Top right.** The headstones of Hendrik Witbooi (chief of the |Khowesin people, a subgroup of the Nama, also known as !Nanseb gaib |Gâbemab which translates to "the captain who disappears in the grass") and Jacob Murenga (nicknamed "Black Napoleon," a brilliant tactician and key leader of military insurrections against imperial Germany) at the Heroes' Acre near Windhoek. / Photo by Zoé Samudzi. **Bottom left.** Herero prisoners assemble at the port of Lüderitz in southern Namibia. **Bottom right** Crowd gathered at Hosea Kutako International Airport awaiting the arrival of Herero and Nama skulls repatriated from Germany in 2011.

the museum's restriction of access to archives. Their answers to my questions made me realize that the first two of a number constituent parts of reparations are time and land. The conversation I was able to have with them was worth far more than the gatekept access of the colonial archives.

Time as a variable in the reparations equation pertains to the timescale created by Indigenous historiographies and memory, as well as the disparity between Indigenous time and colonial time: between Indigenous phenomenologies and the German preclusion of Indigenous peoples from modernity. Western time can only ever be progressively linear and forward moving. It seems Germany is incapable of embracing a multidirectional memory — to borrow from-synthesize both Michael Rothberg and the vast multiplicity of indigenous thought — one that accounts for and moves between past wrongdoings, present materiality, and future world-makings. It is rendered incapable because it simply *refuses* a state politic of memory beyond a reiterated guilty reparation for a singular harm rather than a commitment to address and repair the structure of colonial violence within which that harm was and is situated. The 1945-1946 tribunals at Nuremberg and the subsequent 1951 ratification of the United Nations Convention on Convention on the Prevention and Punishment of the Crime of Genocide are the initiation of its considerations of genocidal wrongdoing. Prior to the convention, genocide was not universally recognized as a crime. It can only move forward from these foundational juridical moments so as not to make itself and other former colonial powers vulnerable to reparations claims. But a decolonial regime of time-based understanding recognizes the violence of linear chronologies and globalizes a *sankofa*-like gesture of continually reaching into the past — into multiple pasts — in order to orient, narrate, and organize the future. The imperial time scale renders colonial genocide and violence to a past because we are all now post-colonial. But Nama leaders express an enduringness of genocide through the failure to repatriate cultural materials and through the denial of information:

"Denying access is therefore tantamount to perpetuation in violation of international mechanisms, the original sin of barbarism...Considering that the information and the material evidence in question is a significant part of the Nama/Ovaherero cultural heritage, denying

access amounts to manipulation and or interference with the content. It censors available data and by doing so wants to weaken us in our quest for restorative justice.

[...] Archival records are also critical for the reparation process. Reparation, however, needs to be seen within the context of restorative justice which involves apologies, returning of human remains and archive collections, compensation for confiscated property, as well as symbolisms of memorialisation."

A critical part of Indigenous self-determination both within and beyond processes of reparation is the right to know: the right to, returning again to Azoulay, form a "nonimperial grammar" that is "not to be heard as scattered cries in an alienated world but as truth claims about stolen shared worlds" (2019). It is a way of having existed in a distant past, continuing to exist in the present, and plotting an existence in the future — a life that far exceeds the relegation and arrest of indigenous life always/*solely* to a past, to the kind of extinction that strikes them from historical record. This is reparation, further, as ontological correction because there is always urgent necessity to refer and return to the past:

"The descendants have a right to keep the injustice in their cultural memory so that they can make sense of their own history and identity which is bound up with their belongings. By denying access to material, we deny descendants the right to know, the right to their identity and the right to justice. Our knowledge of our history of oppression is part of our heritage. Therefore access to evidence and archival material concerning violations ought to be the duty of the institution. It would serve no constructive purpose to sink memory into the background because it only aggravates denial of justice."

As for land, the second variable in this reparations equation: this question plagues former settler colonies in southern Africa despite at least two decades of Black-majority rule — the Republic of Namibia gained its independence in 1990. The imperial project of German South West Africa saw the transfer of German settlers to Ovaherero and Nama land. The land question also troubles the matter of ancestralization, as in it foregrounds the matter of incarcerated ancestral remains. Ancestralization speaks to the

performance of traditional funerary practice, the transition of Indigenous dead from this life to the next — or the completion of a life cycle, the purpose of the act varies — and the failure for the lives taken to receive any semblance of proper and, in their words, "dignified" burial which has implications for the living. It is not simply an anthropological phenomenon or "alternative way of knowing" to study from afar. It is a metaphysical regime that must be seriously evaluated against contesting colonial white and Christian understandings of death, and that inform material-cultural-juridical arguments against the German state from whom the Nama seek recompense for genocidal destruction. From collecting specimens by grave-robbing to forcing Indigenous women to scrape clean the skulls of the dead in concentration camps, these bones were used as evidence of European superiority and harvested to supply demand for eugenic research and display. As described by V.Y. Mudimbe on the very first page of *The Invention of Africa* (1988), "*colonialism and colonization* basically mean organization, arrangement." In reminding of the etymological origins of the word — "the Latin word *colere*, mean[s] to cultivate or design" — we are reminded of decolonization as an epistemological reorganization and rearrangement/repatriation of physical matter. Their return is deeply meaningful for the peoples to whom they belong.

"Skulls and human remains of Nama origin must be buried in Great Namaqualand in accordance with centuries old Nama religious customs. Even before Christianity, the Nama believed in the Supreme Being known by the name Tsui//goab. In Nama religion, He is the Creator of the entire universe and Giver of life to all creatures through His powerful Spirit. He has the power over rain, wind and all life forces. The Nama believed the human soul returns to its Master, the Creator Tsui//goab, upon a person's death. Equally the human body is created from soil of earth and thus must be returned to the soil. The graves in which the remains will be buried are marked extra ordinary into monuments as per Nama custom. In the Nama religion, the Messenger of Goodwill of Tsui//goab was named Haitzi Aibeb. He died under extraordinary circumstances and rose from death many times according to Nama folklore. His graves were turned into monuments made of rocks, as people who passed by each grave said praises to Him and added another rock. Many of the graves are still found in Great Namaqualand. According to Nama culture, the

"FROM COLLECTING SPECIMENS BY GRAVE-ROBBING TO FORCING INDIGENOUS WOMEN TO SCRAPE CLEAN THE SKULLS OF THE DEAD IN CONCENTRATION CAMPS, THESE BONES WERE USED AS EVIDENCE OF EUROPEAN SUPERIORITY AND HARVESTED TO SUPPLY DEMAND FOR EUGENIC RESEARCH AND DISPLAY."

"THE LAND QUESTION ALSO TROUBLES THE MATTER OF ANCESTRALIZATION, AS IN IT FOREGROUNDS THE MATTER OF INCARCERATED ANCESTRAL REMAINS."

"IN THE PRESENT, THE LAND QUESTION REFERS NOT ONLY TO THE RELEASE AND REDISTRIBUTION OF LAND FROM THE STRUCTURES OF RACIALIZED OWNERSHIP, BUT ALSO THE SITUATION OF INDIGENOUS PEOPLES IN THE POST-COLONIAL ENVIRONMENTS."

spirit of the deceased remains restless until it is returned to the soil from which it is made by the Creator. Keeping human remains in museums denies us our right to practice our customs.

[...] *It is important to prove to the world that Germany did not find us in a static state, we too were in motion in tandem with the then-prevailing historical conditions. We are bound **morally, socially, and spiritually** to ensure the burial of the remains of our families and no individual, institution or government has the right to keep the remains"* (bolding, mine).

In the present, the land question refers not only to the release and redistribution of land from the structures of racialized ownership, but also the situation of Indigenous peoples in the post-colonial environments as it pertains to the independent nation-state into which they are being assimilated (or against which they are resisting assimilation) and the role of that state in mediating a reparative process. Because the priorities of the state of often come to take precedent, we must constantly remind ourselves of and return to the desires of the aggrieved:

*"Our watchword is 'Nothing about us without us.' Firstly, representation on the negotiating table is of paramount importance so that the content and the process for an apology and reparation are agreed upon as a priori matter. For the NTLA repentance and forgiveness are the starting point. Instead, we have only witnessed arrogance on the part of the German government. This would mean the current process must cease in order to restart in new mode. The NTLA subscribes to some fundamental principles of restorative [justice] which include the fact **the victim communities must be central to the process of defining the harm done and how it must be repaired** [...]. The victim communities must be actively involved in holding the offender accountable and ensure opportunities for the offender to make amends. In line with the 2006 Resolution taken by the Parliament of Namibia, **the government must merely oversee a process driven by victim**"* (bolding mine).

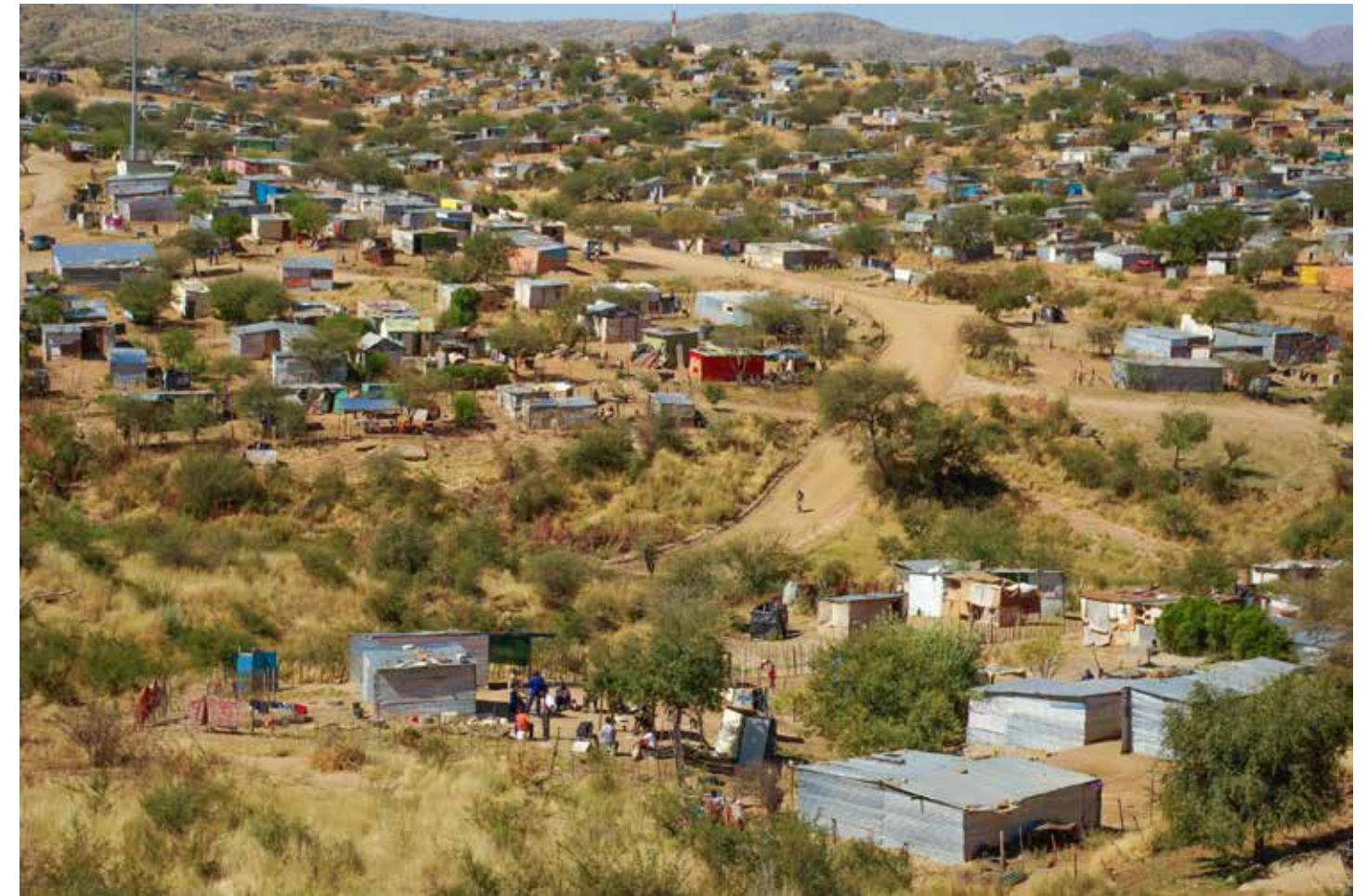
The land question, Indigenous landlessness, forces a consideration of what exactly is understood by "Indigenous." All peoples were designated as a "native" foil to whiteness during colonialism, and that native identity as related to land became particularly apparent in the creation of apartheid-era Bantustans. The Odendaal Commission (formally, the Commission of Enquiry into South-West Africa Affairs), whose findings were announced in 1964 and implemented starting in 1968, created the infrastructure for the two-tiered apartheid structure of development. It concretized the racial geographic separation between white settler society and native life, and

stratified native societies in the creations of native authorities responsible for overseeing affairs in their respective homelands in what is present-day Namibia and was administered as a part of the Union of South Africa. The land was familiarly territorialized into Hereroland, Namaland, and Ovamboland, and so on. Considering the continuity of eugenicist logics, it makes perfect sense that the ephemera of Eugen Fischer — a human skull, different colored glass eyes, differently textured samples of hair — was found in a box in a cupboard by a researcher at the historically Afrikaans-dominant Stellenbosch University in 2013. Although every native group was in some way subjugated by the imperial German and then Afrikaner nationalist regimes, these universalized harms are not reflected by present ethnopolitical realities:

"For the Nama leaders, landlessness and political/economic/social marginalization is directly linked to genocide. Calls for the return of ancestral land and initial response of [the 2016] Namibian government amounted to trashing such calls, with utterances such as 'You don't eat land!' 'What ancestral land are you talking about?' and 'How do you want to hold present generations accountable for something they did not do?' These are sentiments of the same regime claiming to negotiate in interest of victim[ized] communities. There is deliberate refusal on the part of both governments to admit that landlessness of the Nama people is a structural issue never addressed by any regime. We shall remain resolute to regain our ancestral land, notwithstanding state tricks to render our people perpetually landless and poverty stricken for good. German genocide facilitated the structural loss of ancestral land, and therefore the two issues will not be separated."

Nama leadership, further, accuses the Namibian government not only of flouting a parliamentary resolution that formed the basis of the charges and reparations procedures against the German government, but of supplanting Nama and Ovaherero-specific needs but "by unilaterally appointing a 'special envoy' who by no means has any mandate from the Nama leaders and the Nama people to speak on their behalf." This is what compels them to state that the "Namibian Government is the first obstacle to genocide recognition and reparations, because **its approach allowed Germany to package the deal through increased bilateral development aid arrangements, thereby completely exonerating the German [g]overnment from the barbaric historical carnage left behind in Namibia**" (bolding mine).

In the Namibian case, the post-colonial condition is a clear continuation of genocidal dispossession; in every case, the function of the nation-state is to capture and enclose the commons. To recognize genocide is,



fundamentally, to confront the validity, legitimacy, and legibility of the thing; to bring it into a fold of *human* experience so that it, too, can become universally acknowledged and henceforth memorialized and mourned. Inherent to the politics of recognition is some ushering into whiteness: the affirmation of genocide is, crudely, an extension of and assimilation into an always Eurocentric *humanity* through a frame of event uniqueness no matter the identity of the victims. The existent discourse of recognition as legibility — as making genocidal process clear enough to morally-ethically grasp (and enclose) and exceptionalize — can only order atrocity into hierarchy. The Nama and Ovaherero genocide's claim to uniqueness is in its firstness: that historians largely agree that it is the first genocide of the 20th century. But even this uniqueness, its firstness is not sufficient to unsettle the foundational nature of Indigenous African genocide on the continent to the practice of race-making. How can a necessary death constitute an acute crisis of recognition for a European state and an independent African nation-state organized so as to continue, fundamentally, colonial logics (presuming that implicit to any Westphalian state is the mandate to suppress Black life)? Where acknowledgement of genocide unfolds before a passive and spectatorial international community or where retrospective recognition is avoided because of its political inconvenience or the fear of future implications, inaction is tantamount to genocide denial. Reparations for the Nama and Ovaherero demands a two-fold processual reconciliation of these past and ongoing harms. Anything else is pure farce. ■

Zoé Samudzi is a writer and doctoral candidate in Medical Sociology at the University of California, San Francisco. She is also a photographer and the archivist with MATATU Nomadic Cinema. Along with William C. Anderson, she is the co-author of *As Black as Resistance: Finding the Conditions for Our Liberation* (AK Press, 2018). She is currently a fellow with Political Research Associates.

Katutura, a township in Windhoek, Namibia's capital whose name translates to "the place where people do not want to live" in the Otiherero language. The township was created when apartheid administration decided to forcibly evict and transfer residents of the Old Location, the segregated area for Black residents of Windhoek, to this new location 8 kilometer away. / Photo by Johannes Laufs.

"WHERE ACKNOWLEDGEMENT OF GENOCIDE UNFOLDS BEFORE A PASSIVE AND SPECTATORIAL INTERNATIONAL COMMUNITY OR WHERE RETROSPECTIVE RECOGNITION IS AVOIDED BECAUSE OF ITS POLITICAL INCONVENIENCE OR THE FEAR OF FUTURE IMPLICATIONS, INACTION IS TANTAMOUNT TO GENOCIDE DENIAL."

REPARATIONS TOWARD THE END OF THE WORLD

LINDA QUIQUIVIX

How to think about reparations in a context of racial capitalism and ecocide, where human lives have a fixed value and Mother Earth's labor, none? Linda Quiquivix describes this context and draws from Maroon and Zapatista experiences as revolutionary alternatives to it.

In debates on reparations in the United States, a dominant objection that arises is, "I never owned any slaves." This is said mostly by Americans who selectively remember that every generation leaves its inheritances. They fondly recall the legacy of freedom gifted to their country by its Founding Fathers but regret any reminder that their Fathers owned slaves, which beyond a regrettable footnote in history, was itself the foundation for U.S. freedom.

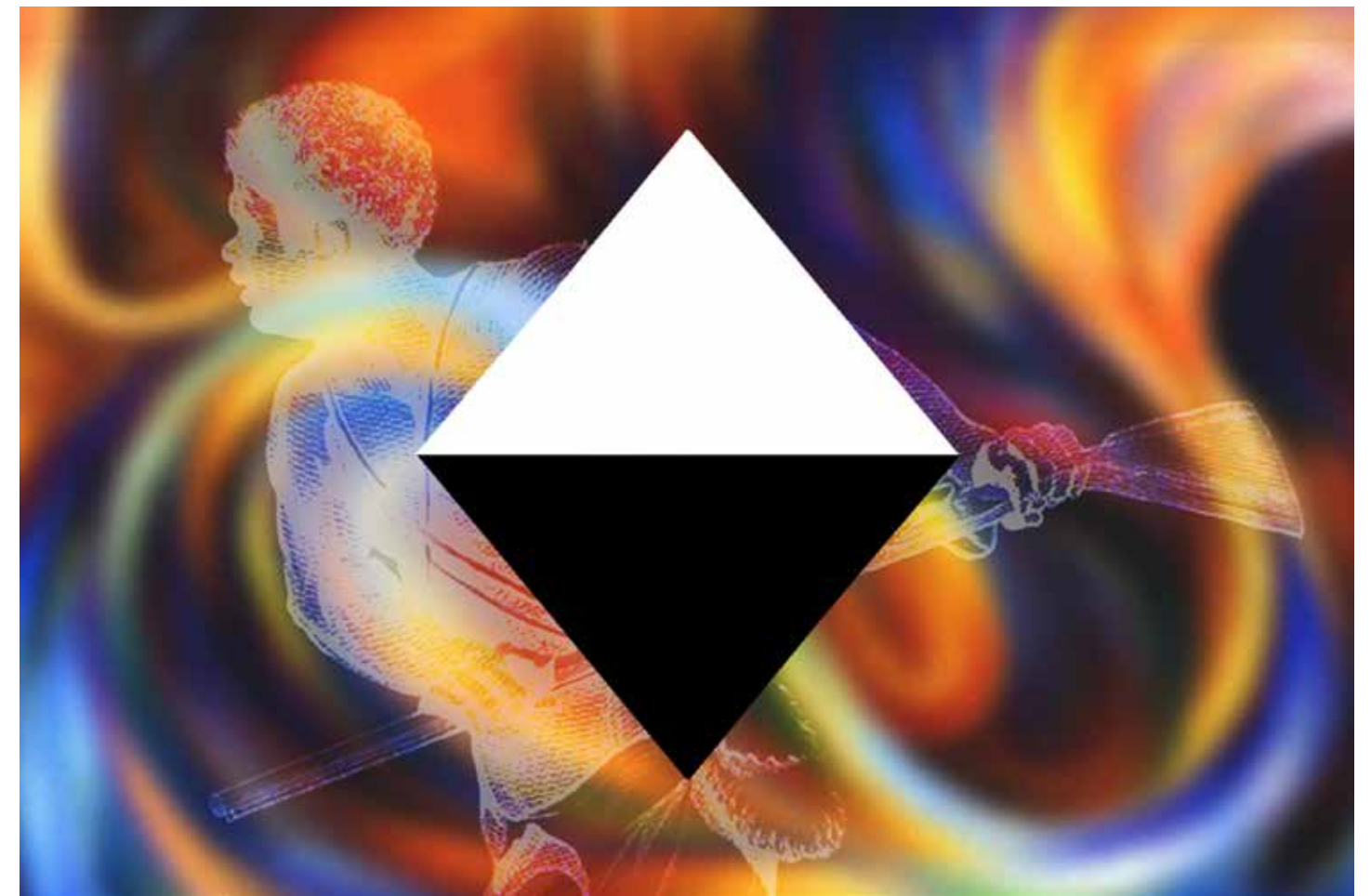
U.S. freedom is often understood as the ability to individually shape one's life while participating in civil relations within the U.S. project. These relations are facilitated through a set of rights that uphold equality, property ownership, and contractual agreements. We can put that a different way by saying that Americans define themselves against what they are not: the enslaved, those whose lives are shaped by an external force; those outside of civil society; those who cannot own property because they are property; those who are denied consent. This dualistic logic that requires a conceptual antithesis in order to provide meaning is so dominant Western philosophy, the modern world itself was only able to invent Europe through the invention of non-Europe. The Europe that began to be built in 1492 as a relatively peaceful geography, one of friendly relations between nations and of international law, could only gain meaning through the invention, both conceptually and materially, of non-Europe as a geography where Europeans could export violence, lawlessness, and enact war. This dualistic logic also exists externally: the unity of Europe/non-Europe has fashioned itself as a one-world world, the only world possible that must be imposed universally, inferiorizing and denying the existence of other worlds that hold other ways of living and relating.

As a project of Europe/non-Europe, the United States inherited this logic of negation, where the genocide of Indigenous peoples were its attempts to extinguish other possible worlds and the invention of the Black-African-as-slave would serve as the negative mirror of what was to become the white-American-as-free-subject. And perhaps because the ability to determine one's own life is at stake most with American freedom, at its most abstract level, the work of the U.S. foundational dualism might be to sort between those who must die so that others can live.

The dismantlement of chattel slavery over 150 years ago in the U.S. has made it difficult for many to understand how this dual inheritance of freedom/slavery can persist today in U.S. life. Most Americans learn to believe the enslavement of Africans and was limited to an economic function (exploitation for profit) within a specific geography (the plantation). In addition, from the moment enslaved people freed themselves from chattel slavery and could enter into new categories previously unavailable to them, namely as waged workers and citizens, the category of the slave became understood only as a legal one that, now outlawed, could appear to no longer exist. While formally no longer enslaved, the same formative relation that decides who dies so that others may live became upheld explicitly by the police — themselves former slave catchers — whose job has been to guard the line between whiteness and Blackness, hence preserving the equation that Blackness equals death. The genealogical link from slavery to mass Black incarceration that exists today continues to tie blackness onto the captivity of "slavery" that is necessary to continue giving meaning to the free American subject. The murders of Black people at the hands of the police and vigilantes that frequently go unpunished, in fact, need to have no reason to destroy Black lives other than as a reminder that, in the U.S., one is free to do so.

In this undeclared war on Blackness, those who can achieve varying levels of U.S. freedom paradoxically require both the death and the continued existence of Black people. They require the death of Black people as a constant reminder of the horror of what it means to be Black, of what it means to be unfree; they require the existence of Black people as the inferior referent against which they can affirm themselves as superior, against which they affirm themselves as free to make their lives, free to live at all. Thus, insofar as Americans understand themselves to be free and their freedoms to have been inherited, the refrain "I never owned any slaves" should now sound strange. For to enjoy these freedoms, Americans don't need to have ever owned even one slave; to be free, Americans only need to ensure that the condition of slavery continues to persist. Debates focusing less on the why of reparations and more on the how often suggest that integrating Black people into capitalism through monetary payments can help make amends for the country's historical destruction of Black life.

"DEBATES FOCUSING LESS ON THE WHY OF REPARATIONS AND MORE ON THE HOW OFTEN SUGGEST THAT INTEGRATING BLACK PEOPLE INTO CAPITALISM THROUGH MONETARY PAYMENTS CAN HELP MAKE AMENDS FOR THE COUNTRY'S HISTORICAL DESTRUCTION OF BLACK LIFE."



The U.S. has a ready figure for how much a human life is worth: ten million dollars. Its economists came up with that number after calculating that on average, U.S. workers in the most dangerous jobs earn an extra \$1,000 a year for accepting to take a 1-in-10,000 chance of being killed. Paying 10,000 workers each that additional \$1,000 costs the corporation \$10,000,000. Thus, what a corporation is willing to pay for permission to take a life is the figure the government uses to decide what a human life is worth. And that a corporation gets to decide this tells us something about what capitalist governments and societies mean when they talk about human life.

It helps to capitalize the H when speaking about capital's Human to help clarify it is less about a biological species and more of a figure of its own invention. Tied to the concept of the free modern subject, capital's Human is similarly a structural position of superiority that finds its meaning against what its founding philosophers decided would be its inferior opposite: the non-Human. Capital's great enslaved subject is, above all, what it refers to as Nature and understands Humans to be outside of it. Traditionally, it has placed Indigenous peoples and enslaved Africans in the category of Nature. And while for other worlds, understanding human beings as part of Mother Earth is not an inferiorization, but a gesture toward a complimentary ecology that includes all, capital traditionally categorized Indigenous peoples and enslaved Africans as Nature in order to dominate, inferiorize, exploit, and enslave them.

This has positioned the non-Human into a condition of

death, which under capital is legitimized by not being assigned calculable value. This renders the non-Human ineligible for the relative rights and privileged status enjoyed by the Human, often attributed through monetary compensation. Placing the non-Human outside the possibility of compensation helps maximize what can be extracted by capital in the form of profit in extremes it's unable to do with the relatively privileged waged worker. In other words, capital, like the U.S. project, requires both a condition of freedom and a condition of slavery in order to exist. Thus, to integrate into capital is only possible by continuing the condition of enslavement on other life.

To illustrate, if a worker who makes pencils encounters another worker who makes paper and they seek to trade, the one who makes pencils might ask how much time it took to produce X quantity of paper to decide on a fair exchange. The reply might be that it took an hour, and so one-hour's worth of paper could then be traded for one-hour's worth of pencils. Pausing there, we can examine some key assumptions to understand how liberal conceptions of freedom function and why integration into capital might at first appear attractive. A key assumption between the two workers who exchange paper and pencils is equality: they relate to each other as equals, as expressed through the way they mutually value each other's labor time. Another assumption is of property ownership: they understand each other as owners of the paper and the pencils they produce for this exchange. And another is of contracts: they mutually consent to the exchange, entering into a contractual relationship where they respect the transfer of ownership.

The dominant world of dualisms denies the possibility of other worlds where opposites can be complementary and fluid rather than binary and hierarchical. Access to these other worlds demands fugitivity from the structural positions of the dominant social order.
/ Artwork by Linda Quiquivix (2020).

"CAPITAL, LIKE THE U.S. PROJECT, REQUIRES BOTH A CONDITION OF FREEDOM AND A CONDITION OF SLAVERY IN ORDER TO EXIST. THUS, TO INTEGRATE INTO CAPITAL IS ONLY POSSIBLE BY CONTINUING THE CONDITION OF ENSLAVEMENT ON OTHER LIFE."

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Relations of equality, property ownership, and contracts are key conditions that need to be in place for capitalism to function. But that not all receive these privileges is made clear when we ask about the trees. Pencils and paper are made from trees, but would not be taken into account as equals with waged workers, as property owners of their own labor, and as beings whose consent is also required to engage in the transaction. Within capital, trees are not compensated for their work and neither is the work that goes into producing the trees, which is hardly limited to Human efforts or even to the trees themselves. To come into existence, trees depend on the work of soil microbes, mycelium, worms, insects, water, and wind for pollination, and sometimes fire for seed germination alongside the efforts of countless other beings, large and small. To calculate the value of this work would be impossible, making it, in turn, impossible to extract profit from any sale of pencils, paper, or other commodities produced from trees.

Capitalism as a social relation may include the privileges of equality, property ownership, and contracts for waged workers — who are today the great realization of the free subject — but it includes above all a necessary division between those who qualify to enter into these privileges and those who do not. Although Black people entered into the category of waged worker after emancipation, the history of labor organizing in the U.S. has tragically been the history of white labor organizing, which deliberately excluded Black workers from fully achieving the full range of these privileges. White workers in the U.S. have traditionally experienced themselves as a relatively privileged class positioned on the Human side of the Human/non-Human divide. And as long as they remained privileged, they traditionally did not struggle against the very existence of a dividing line where, on the other side, existed capital's condition of enslavement. Indeed, that those marked as white, those considered free, continue to benefit from that dividing line means they require the condition of slaveness to persist.

Much more needs to be written about the relationship between the current climate catastrophe and the anti-Blackness of the modern world, but for now it might suffice to mention that both Mother Earth and Black people have been placed in battle on two fronts: one against capital, and another against the white waged worker. What has traditionally motivated the white waged worker in movement work has not been the defense of Mother Earth against ecological catastrophe but the creation of more jobs that could sustain them as waged, and therefore as free to consume those things they need to live — no matter the death and destruction these jobs might leave on the planet and who they must exclude to secure what are becoming less plentiful jobs in the 21st century. And what has traditionally nurtured the White waged worker in the question of freedom is less the struggle against their own exploitation but their fear of one day becoming enslaved — their fear of being Black: unfree, disposable, without the right to be waged or receive additional hazard pay for dangerous work, of becoming killable without the boss ever

needing to ask for permission to kill them. If reparations are thus not about plantation slavery but about centuries of a terror sustained through the conception of U.S. freedom itself as maintained through capitalism, reparations cannot be granted while the undeclared war on Blackness continues. Reparations must entail the end of that war, the end of capital. And in a world sustained by a worldview of enslavement, in a world sustained by a war on blackness, reparations must thus mean the end of that world and the creation of a world anew.

That the US government has placed a ten-million-dollar value on a Human life received new public attention when the COVID-19 pandemic began shuttering the U.S. economy in March of 2020 and questions arose over whether implementing social distancing measures was worth saving lives. It was notable to see economists who appealed to the math favoring social distancing being met against policy makers suggesting instead that the elderly, understood then as the most vulnerable to death under COVID-19, be allowed to die for the sake of keeping the economy alive. There was no appeal to math for these policy makers: for them, those who had aged out of their overall capacity to produce value as workers were now shifted outside the calculation of worth. This led many Americans to begin grappling for the first time how it could be that they or their loved ones would be considered disposable. Because again, now the question was less about keeping some people alive, but about keeping the economy alive. Within only weeks of the COVID-19 economic shutdown it became clear it was Black people dying at alarming disproportionate rates due to preexisting health conditions caused by decades of structural abandonment. And so the society that claimed to have welcomed Black people into the US project 150 years ago declared the worst of the threat over and demanded the economy's reopening without efforts to mitigate the economic devastation facing an already economically vulnerable Black population if they chose to shelter at home instead of returning to work and risking infection, and possibly premature death.

Except, now there was also the question of what work one would return to. When the economy began reopening at the end of May, it was now in the midst of a depression: a breathtaking 40 million people had filed for unemployment in a little over two months, and vast numbers could not return to their jobs for those jobs now no longer existed and many would not be coming back. In the midst of this crisis, something more astonishing managed to take place. The U.S. had been witnessing a succession of murders of Black people by the police and vigilantes caught on recorded devices that were going viral on social media. Although in previous years plenty of videos catching police murdering Black people with impunity had already reached millions online, the video of police killing George Floyd on May 25, 2020, proved to be the one to finally launch a rebellion en masse in defense of Black lives. Thousands of protesters from various structural positions of U.S. life marched on the streets in hundreds of cities across the U.S. over the course of weeks. White people, Black people, Brown people,

and more came out explicitly against the police to cry out in one unified message: Black lives matter.

The rebellions for Black lives shocked the country and the world, not least for the spectacular scenes of militarized police beating, gassing, and arresting White people alongside Black and Brown people, together in revolt. While it may be too soon to analyze how the collective dignified rage against anti-Blackness could finally grow and explode, protesters themselves began wondering if a reason such large turnouts were now possible was because their time was no longer taken up by a 40+ hour workweek, allowing them more time to participate in political life differently and learn firsthand about the world they exist in.

For the question of reparations at this moment then, if waged workers continue being transformed out of existence whether through the pandemic or the automation already underway before it, it's possible they may more easily articulate with the demand for Black lives mattering, and we might be witnessing a critical opening for the creation of a world anew. If this is so, we might wonder if experiments in this creation could begin now without needing to wait for permission and, more importantly, if we might envision what this new world would look like, one where the life and freedoms of some are not realized through the death and enslavement of others.

History has great examples of movements who fled to build other worlds without asking for permission. Slave runaways who created self-defined collectivities of Maroon societies along with other fugitives, Indigenous people, and even Europeans seeking to flee the dominant world as well are among our greatest examples. Rather than individual efforts, the construction of these worlds centered on the collective and often understood human beings in complementary relation with each other and with Mother Earth more broadly. If worlds are sets of relations that hold their own principles of how they encounter difference, building a world very other than the dominant one entails building a very other set of principles. Today, the Indigenous Zapatistas in Mexico offer an example of building and growing their "world where many worlds fit" with movements around the globe, each according to their specific contexts. This is done both philosophically and in practice through a radically different set of relations guided by seven anti-domination principles of "lead by obeying":

- 1. Serve and not serve oneself
- 2. Represent and not supplant
- 3. Build and not destroy
- 4. Propose and not impose
- 5. Convince and not defeat
- 6. Go below and not above
- 7. Obey and not command

It is through these principles as their guide that they have collectively built their own autonomous schools, clinics, banks, economies, cooperatives, and even their own government — also without asking anyone but their collective we for permission. In this new world already underway, there is no negative Human/non-Human split. Rather, their worldview is guided by complementary opposites with fluidity in between. The consent of plants is asked before a harvest; land is not a commodity to be owned but a territory to steward from which to build and defend life, the life of microbes and of human beings alike, where all are equal not because they're the same but because they're different; where each one's work is understood as necessary in a broader ecology; where work itself is not placed within a calculable measure of value from which to extract profit. While building, the Zapatistas also keep watch on what the dominant world is doing and how it is constantly shifting in response to break or co-opt their resistances and rebellions. This is the work of study and critical thinking that keeps an eye on the dominant world of capital while building their alternative, which sometimes entails keeping a foot in each, knowing when to pull from one to build the other and not the other way around, increasing the intensity of the new while decreasing the intensity of the old.

Fugitives like Maroons knew well that the modern world resists any escape or challenge, that it will attack to coerce back its negative referent, for without it, its favored subject will cease to exist. The Zapatistas know that the dominant world is an imposition that demands it be the only world that exists. Its set of relations internally matches its set of relations externally where those it deems as inferior (other worlds) must die so that those it deems superior (itself) can live. Since its construction over the last 500 years, the modern world has violently destroyed and tried to fully erase those sustaining other worlds, other possible out- sides (e.g. Indigenous peoples), and through the violent positioning of its inferiors inside (e.g. Black people, Mother Earth) in order to give meaning to its superiors (e.g. white people, capital itself). Its work has been to keep all hostage to its structure of superiors vs. inferiors. So, when the call for reparations demands this world's dismantlement toward the creation of a world anew, we would do well to recognize that such a call is not only a call for Black liberation, but a call for the liberation of us all. ■

Linda Quiquix is a geographer and seed saver based in California. She places her university training at the service of under-resourced communities in the U.S., Mexico, and Palestine who seek clean water, land, and tools to build and strengthen their collective autonomies.

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UNDOING COLONIALISM: 30 YEARS OF REPATRIATION OF HAWAIIAN ANCESTORS

A CONVERSATION WITH EDWARD HALEALOHA AYAU

In this conversation, Hawaiian activist Edward Halealoha Ayau describes the signification of the Return of Hawaiian kūpunas (ancestors) to their homeland, as well as the training, strategies, and rituals that the Return of over 6,000 remains and cultural items have necessitated these past 30 years.

LÉOPOLD LAMBERT: For the last 30 years, you successfully put pressure on 120 museums and institutions in the world (in particular in the United States and Europe) for your organization to be able to repatriate Indigenous Hawaiian iwi kūpuna (ancestral Hawaiian skeletal remains) and moepū (funerary possessions) to the Kingdom of Hawai'i. I know that sometimes, museums comply relatively quickly with your demand, while others take years if not decades. Could you describe this process in which you became an expert — so much so that you can promise any museum that they are next on your list! [laughs]

EDWARD HALEALOHA AYAU: Aloha nō kākou. Mahalo for that introduction. It's been 30 years in the making and for us it started with a burial disturbance on the island of Maui, a place called Honokahua. At this particular property, a private landowner wanted to build a Ritz-Carlton hotel but the sand dunes he wanted to build a portion of the hotel on had iwi kūpuna, ancestral Hawaiian remains buried there. Archaeologists estimated maybe 40 individuals would be disturbed so they went ahead with this project. They were very wrong in terms of the number of burials. Back then, there weren't any strong laws that protected cultural sites such as this, and so when they completed the excavation, 1,100 individuals were disturbed and it was not even the whole sand dune either, it was just a portion of it. So this was a communal burial site, the final resting place for 1,100 people who were dug up to make way for a parking lot! This was in 1987-1988. The news was horrific and people were shocked. The negative impact of something like that is being made to feel less than human. That someone else would value a parking lot over a burial site containing 1,100 people. Just think about that! Any cemetery you might think about: one day, it's a cemetery, the next day you can park a car there.

What that event did was make Hawaiian people realize that we were completely asleep at the wheel in terms of protection of our ancestors' burial sites. We had lost this part of our ancestral memory that involves our relationship with our ancestors.

We had become immune to where our ancestors were and the need to protect them. There was a protest that was held at Honokahua and folks came from all of the islands, occupied the site and demanded the Governor, who was Hawaiian, to halt the digging. In the end, the State condemned the property and had the land owner move the hotel further inland so that the 1,100 people who were dug up were reburied and the rest of the dune that had not been dug up was protected. For me and for a lot of Hawaiians, it was an ho'āla (awakening) because it said to us that we were failing in our responsibility to mālama (to care) for the bones of our ancestors. As a result of the tragedy that happened in Honokahua, some very significant changes took place. The first one is the eventual enactment of a law that protects Hawaiian burial sites in Hawai'i by the creation of island burial councils. The second one was the birth of Hui Mālama i Nā Kūpuna O Hawai'i Nei by Edward and Pualani Kanahale of Hilo who are cultural practitioners. They are kumu (teachers) of Hawaiian values and practices. Mrs. Kanahale is a Kanaka'ole and her family are fierce and stubborn protectors of Hawaiian 'ike (knowledge) through hula, chant and through the practice of rituals. They saw Honokahua and realized that we as Hawaiians needed to know how to again interact with our ancestors to be able to take care of them, to rebury them in a way that they were accustomed to, and not in a way that we became accustomed to.

Part of what we learned was prayers and chants, some of them were traditional and others were contemporary made just for the work of repatriation and ceremonial wrapping of our ancestors' remains for reburial. That was the beginning of a new life for me. I was raised in a Hawaiian family on Molokai; we were raised with culture and history, but not the ritual side, not the ceremonial side — like most Hawaiian of my time, we were going to church. When I began the training with Mr. and Mrs. Kanahale, I was fresh out of law school, I was eager to get in the fight. But I realized that the lessons that they were teaching me were life lessons, and it brought immense responsibility. I was 25 years old and I was very naive; I had no sense of the scope of the problem:



I thought this had to do with the situation at Honokahua only, maybe some other cases and that was the extent of it. I had no idea that our ancestors had been stolen from us and removed to various parts of the world. Nobody had any idea of that, because it was not something that was readily announced or shared. Those who were trafficking in iwi kūpuna (ancestral Hawaiian skeletal remains), moepū (funerary possessions) and mea kapu (sacred objects) were doing so on the down low. Then you had this whole history when items were being sold intentionally: then you had the transition to Christianity and a lot of the spiritual items were either sold off or stolen. You had this huge market, and it was not just in Hawai'i; it was happening all over the world.

I don't remember how many of us were there at the beginning, but the majority of us were not Hawaiian language speakers, so that made it hard because the protocol and the entire training was in our mother tongue. It was an opportunity to re-embrace our language, learn our respective roles based on gender — in Hawaiian ceremony, there are certain roles that each gender has. And the most important lesson was how to call upon our own individual ancestors to come and help us. It was based on this real simple thinking but profound that your grandmother who helped you when she was alive would also help you after she dies. That part of the relationship does not change. Who would come to help when you needed it most than your own family members? I took a lot of comfort in knowing that: if I needed help, I would just call on my grandmother, my great grandfather, or someone I knew who knew me and I knew who would always be there for me. The basis of the spirituality of our work is on

family. And family does not end when you die. Your role in the family does not end because you die. In Hawaiian, it actually elevates it, especially where deceased ancestors are deified and become what we call 'aumākua or ancestral guardians.

Our prayers teach us how to ask for the different tools that we need to do our work. No one told us how to repatriate because no one knew how. We had to figure this out on our own. However, what our kumu Mr. and Mrs. Kanahale taught us were the core cultural values that we needed to understand. "Mai kaula'i i nā iwi i ka lā" (don't expose the bones to sunlight). What does that teach us? It teaches us that we are not supposed to be digging people up; it teaches us that we are not supposed to allow anthropologists to examine them; that once someone passes away, their world is darkness, not light. Being exposed whether on display or being examined is the opposite of the existence they're supposed to be experiencing. And that's how our responsibility: our job is to maintain and protect their journey if you will. And we do that by making sure that iwi are where they are supposed to be. Why is that so important? Because in Hawaiian, the word for "burial" and the word for "planting" is the same. In effect, we were planting our ancestors. The belief is that from their burial becomes growth. Physical growth because their remains are breaking down and they're becoming elemental again and being part of the ground that plants actually grow from. And on the spiritual level, it is the infusion of their mana (spiritual essence, power; life force) into the land. Emotionally, it's knowing that they are where they are supposed to be: not on museum shelves, but hidden away in the protection of the darkness. That's the relationship that we have with them.

"I HAD NO IDEA THAT OUR ANCESTORS HAD BEEN STOLEN FROM US AND REMOVED TO VARIOUS PARTS OF THE WORLD. NOBODY HAD ANY IDEA OF THAT, BECAUSE IT WAS NOT SOMETHING THAT WAS READILY ANNOUNCED OR SHARED."

Kūpunas ready to head back home from the Natural History Museum in London to Hawai'i in August 2013. / Photo by Edward Halealoha Ayau.

"WHAT THAT EVENT DID WAS MAKE HAWAIIAN PEOPLE REALIZE THAT WE WERE COMPLETELY ASLEEP AT THE WHEEL IN TERMS OF PROTECTION OF OUR ANCESTORS' BURIAL SITES."

“THE RECONNECTION PART IS THE MOST IMPORTANT PART BECAUSE WHAT WE’VE DONE IN 30 YEARS, I ONLY KNOW ONE OTHER ENTITY IN THIS WORLD THAT HAS DONE REPATRIATION AT THE LEVEL THAT WE HAVE; THAT’S THE FOLKS AT TE PAPA TONGAREWA OF AOTEAROA.”

“WE TRIED TO ENGAGE THESE MUSEUMS IN THIS DISCUSSION, BUT WE ALSO POINT OUT TO THEM THAT EVEN IF THERE WASN’T A LAW, YOU DON’T NEED A LAW TO SHOW THEM THAT WHAT THEY DID WAS WRONG WHEN THEY TOOK GRANDMA’S HEAD.”

When they are disturbed, we are disturbed. We are the sum of all our kūpuna. I don’t only carry the names of my kūpuna, I also inherited their DNA and their ancestral memories. When you go to a place and you have this sense of familiarity, even though you know that you’ve never been there — this happened to me in some parts of Hawai’i, but also when I went to Tahiti and Aotearoa. I had these *déjà vu* feelings — which are my kūpuna memories. This familiarity is about reconnection.

The reconnection part is the most important part because what we’ve done in 30 years, I only know one other entity in this world that has done repatriation at the level that we have; that’s the folks at Te Papa Tongarewa of Aotearoa. We attribute that to the fact that our prayers asked our ancestors to guide us so in effect, we are trying to empower the ancestors to become a part of their own rescue by making sure that we receive the right thoughts and that we are not overwhelmed by anger. A lot of people started off working on this and a lot of people left because of the *kaumaha* (emotional, spiritual, physical trauma) of learning that our ancestors were objectified, dehumanized, mistreated: there is great pain in this kind of revelation. You find out that a ship captain sold a Hawaiian sailor who got sick and died to John Hopkins University Medical School. There are stories about how Hawaiians were mistreated as non-humans, so you have to protect yourself from the intense trauma generated by what these stories reveal. Our training is helping us to learn how to protect ourselves, protect our mind, our spirit, our body, physically, from what we call *haumia* (defilements). The Hawaiian belief is that when someone dies, they are naturally defiled because they are in a state of death, which means that when you’re with them, when you’re working with them, before you can transition back to the living you have to go through a cleansing so that the defilement of the dead doesn’t carry over into the living.

So it’s all about the training. And the next major step, of course, is the actual implementation of that training. We started in the 1990s, we were the first to repatriate from the Smithsonian; we used each case to build on for the next one. When we started off, it was overwhelming, partly because we were so new to it. Our kumu tells us: “I’m trying to get you to return to who you are.” That comes through lessons in *mo’okū’auhau* in knowing your genealogy so that when you call on your ancestors, you’re calling specific individuals, those who will give you the *ikaika* (strength) you need, the *’ike* (knowledge) you need, the ones that will give you the courage frankly to do some of the work that we had to do.

First was the training, then was the 30-years of implementing, first under U.S. law with the Native American Graves Protection and Repatriation Act, as well as the National Museum of the American Indian Act; then we started to venture into the international arena. Our first cases went well, the museums were willing to give them back, and then we encountered the British — they are not the master colonizers of the world for nothing! A lot of their colonial ways are still apparent in their thinking. The second longest case involved the Natural History Museum in London. When we first found out that our ancestors were there, we tried to get some information and they told us to stop communicating with them. They would never give them back, it would take an act of Parliament; it would never happen: these materials (in reference to 154 of our ancestor’s skulls) are the legitimate property of the museum. They would not entertain any discussion about whether they had acquired them lawfully. We tried to engage these museums in this discussion, but we also point out to them that even if there wasn’t a law, you don’t need a law to show them that what they did was wrong when they took grandma’s head. The central issue in this undertaking of repatriation, the bottom line is consent. We’d tell the museums: “You prove that the family said ‘Please take our grandma’s head; we don’t need it anymore, she doesn’t need it, go ahead take it’; if you can prove that then you can keep her head. But if you can’t prove consent, then the act of collecting it is *de facto* theft, and theft cannot form the basis for continued possession. And besides, I’m pretty sure that we’re all human beings and that our Hawaiian humanity has taken a big hit from colonialism. You have taken our kingdom, taken our land, taken our resources, and you even took our grandmothers; who does that?”

I should make a clarification by the way. Some view me as an expert because I’ve been at this for so long. But with respect to my relationship to my kumu, I’m not an expert; I’m a *haumana* (student). You don’t become an expert when your kumu are still alive; that comes later. But expert in terms of the law and in terms of being strategic to get them home? Absolutely. Just recently we successfully did a repatriation from Cambridge University. This is the first repatriation from this 800-year old institution of higher learning. It was rough, we got into full-on fights with them but I don’t mind that part because that’s the part I excel in! [laughs] When we started off in the 1990s, because we were all young and angry Hawaiians, the thing we took pleasure in doing was fighting. A museum, like the Cal Berkeley Hearst Museum, wanted to

take us on, well we took them on. They had a famous physical anthropologist there named Dr. Tim White and we had a NAGPRA hearing challenging the museums’s refusal to repatriate two skulls and during his testimony he said: “Reburial is analogous to going to the Library of Congress, taking a book off the shelf and burning it, because they both represent the destruction of knowledge. Reburial represents the destruction of knowledge.” As soon as he said it, I pounded both my fists on the table and interrupted him: “There’s one key difference, right?! The key difference is that we do not descend from books!” What a horrible analogy! He took an inanimate object, and he compared a person to it.

A few years later, in the early 1990s, I was at the University College in London, and I had been invited by a very dear friend of mine, Dr Cressida Fforde, — she was a grad student back then — to speak at an international repatriation symposium. The first three speakers all spoke against repatriation, very eloquently — they were either a museum director or head of an anthropology department — and I realized that I was the only pro-repatriation speaker. I became unhappy with my friend thinking she was setting me up but she corrected me, “No, I’m actually setting them up!” And while they were talking, I scribbled two words on my notepad: the first was “intellectual” and the second was “savage.” And I came up with the term “intellectual savagery” defined as using one’s intellect to deny another their humanity. Because to me, when I was listening to them talk, it was highly intellectual — citing very intelligent reasons for not giving back people’s ancestors — and it was a very savage in that you can go to another culture and impose your will over a family’s burial practices. How worse can that be? It’s like if in the middle of a funeral, somebody walks up and takes grandma’s head. This would not happen in real life, why let it happen in the cover of darkness? So I gained what I know from actual experience, and I would dare say that I’m battle-hardened. I should add that one must maintain a wicked sense of humor if you’re going to last in this work! [laughs]

LL: When it comes to settler colonialism (and if we think of the articles we have been ourselves publishing about the fight for Hawaiian sovereignty), we tend to think of the efforts to oust things (the occupying military, colonial infrastructure, settlers unwilling to lose their colonial privileges, telescopes even, etc.), but we rarely talk how efforts that imply movements of bodies and objects back to the Kingdom. A few days ago, you told me how this 30-year-long struggle of repatriation was

somehow initiated by something your grandmother told you when you were a young graduate from law school. Would you mind telling this story to a broader audience?

EHA: I was studying for the bar exam, spending the summer on Molokai, and I went to visit my paternal grandmother for dinner. She had my high school graduation picture on her dinner table and I kind of laughed and told her “Oh, did you bring that out because we’re having dinner tonight?!” and she answered “No, it’s been on my table since you left home. I would say hello to you everyday and I pray that you’ll be safe.” I left Hawai’i to study on the continental U.S., I got my undergraduate degree and then my law degree; I left for seven years and then I came home. So I told her “Grams, I graduated from law school and I studied Federal Indian Law, and what that taught me was something called ‘sovereignty.’ Do you understand what sovereignty means?” She said “Yes, sovereignty has to do with our Kingdom, with our ability to govern ourselves.” I was like “Wow!” — kind of surprised — “Yes Grams! That’s what it means!” And then what she said next ended up changing my life — talk about a wicked curved ball! She said to me along the lines of “A house cannot stand strong unless its foundations are firm.” First when she said that, I thought that she was just rambling and so she repeated it again and I was like “You lost me! What are you talking about?” And she said “I’m talking about ‘sovereignty.’ If you want to restore the Hawaiian Kingdom, that’s the work that you have to do: that’s the house. Before you can do that, you have to restore the foundations.” I was like “Okay, that’s the part where you lost me! What are the foundations?” And she replied “Our ancestors. They’ve been taken from us.” I realized later that she was not talking about all of Hawai’i but about a specific case in Molokai in a place called Mo’o-mi. An anthropologist from the Bishop Museum had come over and made Hawaiians think that they were part of something great, but they were actually helping him dig up these bones from the sand dunes and then carrying them back to the Bishop Museum in Honolulu. She was talking about that and when she was thinking about *lāhui*, our nation, she was actually thinking about our island. But it made me realize that the best work that I could do for Hawaiian sovereignty was to commit to the restoration of our ancestral foundations.

You know earlier, I talked about the training that we went through; part of this training involved how to research journals. What we started to realize is that our kūpuna had been taken to all parts of the world. History tells us which colonial

“BUT IT MADE ME REALIZE THAT THE BEST WORK THAT I COULD DO FOR HAWAIIAN SOVEREIGNTY WAS TO COMMIT TO THE RESTORATION OF OUR ANCESTRAL FOUNDATIONS.”

“SOME PEOPLE HAVE BEEN EXTREMELY KIND AND SOME OF THEM WERE HORRIBLE — THEY WANTED NOTHING BUT TO MAKE SURE THAT THEY MAINTAIN POSSESSION OF THESE REMAINS AT ANY COST, REGARDLESS OF THE PAIN IT CAUSED US.”

powers were in Hawai‘i in the early periods of contact and so we targeted our searches for institutions in those countries. We knew that French, Germans, British, Japanese, Australians, and of course the Americans were here, so we targeted these countries. We methodically looked up museums state by state, and then country by country. In fact every month, just out of habit, I would write to five or so museums anywhere in the world — just randomly — and every once in a while one of them would come back and say, “Yes, we do have some Hawaiian skeletal remains” and then we’ll engage them in consultation and get the kūpuna back. That little statement from my grandma, it changed my life. Instead of practicing law, I became a repatriation advocate. Although I worked for the State of Hawai‘i, my passion in terms of what I’d rather be doing is repatriation because it requires the skills of a hunter. I had to track down the ancestors. Follow up on leads, read as much materials as I can put my hands on, and try to find them. This work eventually led us to Paris, where you’re at, to a museum there. For some of these repatriations, the initial museum response was to lie to us. Some people have been extremely kind and some of them were horrible — they wanted nothing but to make sure that they maintain possession of these remains at any cost, regardless of the pain it caused us. And after a while, for some it became more about power than science. And yet we were still able to convince them that they had to repatriate.

LL: Originally, I wanted to ask you something I thought was crucial, which was the spiritual and ritual dimension of repatriation, through the dialogue you are engaging with the kūpuna themselves when you come to take them home, but you already mentioned it. Would you like to add something?

EHA: Yes, what we learned during our training was to treat the dead as if they were alive. Someone who had their head removed, with that comes shame and anguish and so, in the prayer, we ask the kūpuna to let their anger and their pain be appeased by our humility to take care of them. Telling them that we are willing to serve them, track them down to advocate for them, to prepare the traditional materials that we use to rebury them, and undertake these efforts to bring them home so that we restore their place in the family. We would tell museums that this is really about our respective humanity. If we had your ancestors’ remains, we would give them back because they don’t belong here and they should have never been disturbed. We would also apologize that this ever happened, but we would never insist that an act so intimate, so spiritual, would be invaded, desecrated by someone. They would say “in the name of science!” but science is a privilege, not a right; you don’t get to just come to Hawai‘i and declare “Hey! I’m a scientist! Let me have a go at your cemeteries!” And our answer is “No! We are fellow human beings, we feel

the same as you about our ancestors.” We had to learn how to manage these different kinds of energy so it did not overwhelm us. The main thing was returning our kūpuna, not just to the land for reburial, but also, spiritually, to their families so that they can heal. The belief is that because our ancestors got disturbed, it has weakened us and one way to build our courage, commitment, and steadfastness, is to return the iwi home. We make a point in letting the ancestors know that this disturbance may have happened two centuries ago, but today it’s being undone, and soon they will be reburied and we as a Hawaiian people, will collectively be better for it.

LL: Concluding with the concept of reparations. In Europe with the report put together by Felwine Sarr and Bénédicte Savoy — and in the U.S. with the release of the film *Black Panther* and its famous museum scene! — there are a lot of discussions around the restitution of artworks and objects that were looted by European colonialists in Africa, Polynesia, Micronesia, and Melanesia. However, many of these conversations understand a framework where colonial states and museums are the ones ‘generously’ at the initiative of such forms of ‘reparations.’ Your efforts however, are totally opposite to this and for every iwi kūpuna who, thanks to you and your relatives in struggle, go back to their land of Hawai‘i, it is like a wound that can start to cicatrise. When this happen, and when I think of what my islander friends (in particular from Kanaky and Aotearoa) tell me about “island time,” I wonder whether it can be somehow useful to think of colonialism as a somehow brief parenthesis in the very long history of the land and its people; a sort of inexorable defeat of colonialism — a bit like when you need to wait for 25 years to bring back some iwi kūpuna home: you’ll wait the time necessary, but the return will happen no matter what. Would you agree that perceiving colonialism this way can be a tactical optimism?

EHA: I couldn’t agree more. We were trained to start a repatriation by envisioning the result. When we are doing our repatriation from a museum, we start planning the reburials, where will it be, who is going to help to do that, etc. What comes with envisioning the result is the courage in knowing that you’ve seen what’s going to happen. And then, the easy part is making it happen. In all the cases I’ve been involved with, I tell them: “The question here is not whether they’re coming home, it’s when.” The person at Cambridge, she laughed when I said that and, 11 months later, I went to her office and she announced that the University Council had voted unanimously to repatriate our ancestors. I reminded her of what I said to her, because with these efforts, with the training, and with the prayers, I was confident. And not only do I see colonialism in the way that you describe, I actually pray for it to be just a blip in Hawaiian history. We have a kuleana (responsibility; duty; privilege) to return to who we are

“WHAT COMES WITH ENVISIONING THE RESULT IS THE COURAGE IN KNOWING THAT YOU’VE SEEN WHAT’S GOING TO HAPPEN.”



and one effective way of doing that, is to be spiritually healthy. Our spiritual health requires a strong relationship with our ancestors and emotionally knowing that they’re home, knowing that they were taken away but that we were able to undo those horrific acts against Hawaiian humanity.

Earlier on, I told you that when we started doing this, I loved getting into these fights. Part of it was that I wanted to practice my craft and be an advocate, but mostly I just liked to argue especially against something that I found abhorrent. That approach has now given way to one in which it is far more effective to make your opponent part of the solution, making it a win-win solution. I mean, we could have hammered Cambridge because of some of the things that their predecessors had done, but what would we gain from that? It would have made me feel good for the moment, but where does that really get us? And, more importantly, how does that help Cambridge develop into a responsible humanitarian-based institution vis-a-vis the future claims by the Maori, Aborigines, Ainu, Tahitians, and everybody else whose ancestors are there? Now, we are mindful of that when we go after an institution, especially a high-profile one, we have a duty not just to our kūpuna, but to the other ancestors who are there that we don’t mess things up — since we’re the first ones in — which would make the institution not want to deal with those Indigenous claimants who would be coming next.

Being mindful of colonialism in this work gives you a strategic advantage, because you know what to expect, you know where they’re coming from, but most importantly, that

gives you all the information you need to defeat them — but in a way that gains their respect. When I was working in the early 1990s in the State Historic Preservation Office, we were at war with the archaeologists. I would say that 80% of those people are now some of my best friends, because we were able to go at it but, in the end, recognize that we both loved Hawai‘i and Hawaiian culture and we saw culture differently but we had the courage to work out our differences and in so doing gain respect and aloha for each other.

We should all be committed to undoing colonialism and making things right so that we could get on with the real work, which is restoring our Hawaiian Kingdom. That’s what I would prefer to work on in my life but you know what? I’m happy and I’m proud that I got to work on the responsibility of restoring the ancestral foundation. ■

Edward Halealoha Ayau is ‘Ōiwi (Hawaiian), a 56-year-old father of four daughters and a son. For the last 30 years, he has led efforts to repatriate iwi kūpuna (ancestral Hawaiian skeletal remains), moepū (funerary possessions) and mea kapu (sacred objects) as the Executive Director of Hui Mālama I Nā Kūpuna O Hawai‘i Nei (Group Caring for the Ancestors of Hawai‘i). Founded by traditional cultural practitioners Edward and Pualani Kanahele of Hilo, they repatriated and reburied over 6,000 remains and items from museums around the world, before formally dissolving in 2015. He continues to work on international repatriation as a volunteer for the Office of Hawaiian Affairs.

Edward Halealoha Ayau during the October 2017 repatriation ceremony at the Staatliches Museum für Völkerkunde in Dresden. / Courtesy of Edward Halealoha Ayau.

“BEING MINDFUL OF COLONIALISM IN THIS WORK GIVES YOU A STRATEGIC ADVANTAGE, BECAUSE YOU KNOW WHAT TO EXPECT, YOU KNOW WHERE THEY’RE COMING FROM, BUT MOST IMPORTANTLY, THAT GIVES YOU ALL THE INFORMATION YOU NEED TO DEFEAT THEM — BUT IN A WAY THAT GAINS THEIR RESPECT.”

THERE IS NEITHER TRUTH NOR RECONCILIATION IN SO-CALLED “SOUTH AFRICA”

A CONVERSATION WITH TSHEPO MADLINGOZI

Following the collapse of Apartheid state, South Africa became the leading laboratory for “transitional justice.” Constitutional scholar Tshepo Malingozi disputes this legal framework, which constitutes yet another elaborate iteration of settler hegemony in the “country with no name.”

LÉOPOLD LAMBERT: We are having this conversation in Johannesburg, which brings up not only the city, but also the country that we are in. You call this country “the country with no name.” Could you tell us why?

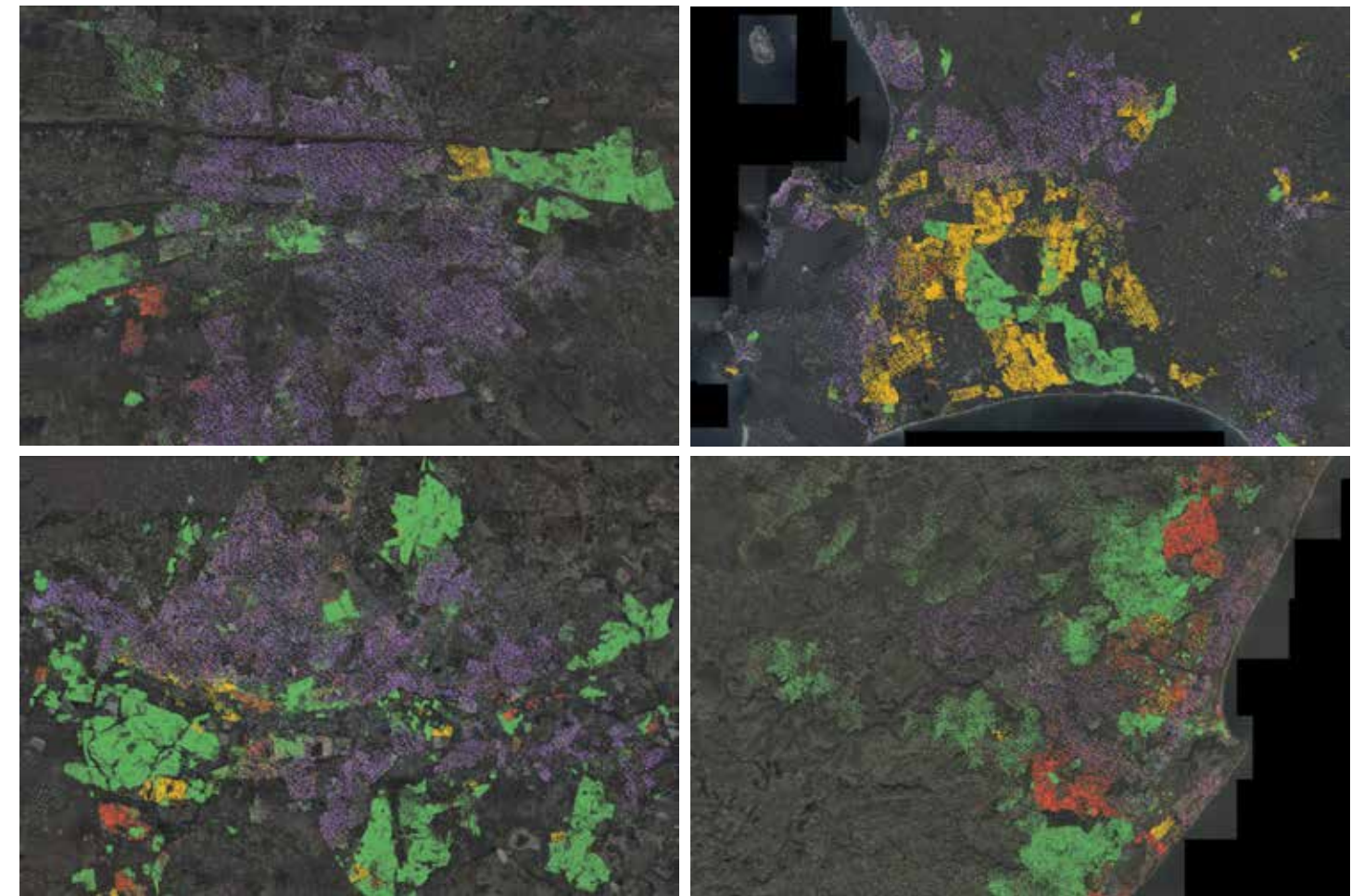
TSHEPO MADLINGOZI: I mean multiple things. I started using that notion around 2014. Before that, every time I introduced myself after being asked where I am from — I’d answer « I’m from South Africa. » But what is South Africa? The name « South Africa » indicates a geographical indication: south of Africa. It is a country without a name because it has no specific name. It’s a country that denotes a specific geography. It is only one of two countries in Africa without a name. And the other one would be the Central African Republic.

LL: And Western Sahara...

TM: ...and Western Sahara of course! Which is still colonized. Secondly, I mean that South Africa is a country without a name because it is a country that was constituted by settler colonialists. In African culture, in fact in all cultures, you name your child. “South Africa,” the territory, is nameless because it was named not by its heirs, but by its violators, its usurers. We forget that this is a very new country, created in 1910. They decided to call it “South Africa.” A country founded by blood, baptised in blood. Thirdly, this alienating baptism was done that way to denote the sense that this territory is not part of Africa — it is *in* Africa, but not *part of* Africa. Of course, settler colonialism means that the settlers come from their homeland and make home somewhere. But in the process of the settler making home somewhere, they destroy the home of those who are colonized. So my PhD was all about this question: how do we apprehend the constituting of a settler colony, and therefore how do you de-constitute it in constitutional terms. And the main point here is that in “South Africa,” settler colonialisation — not just colonialism — meant the destruction of the social-cultural world of Indigenous people, of African people. And on top of it was imposed, this alien thing. The

condition of possibility of South Africa is, therefore, the conquering and suppression of African kingdoms and the forceful incorporation of so-called native people into a “white men’s polity.” Fourthly, this country is without a name because it is a country that doesn’t belong to the majority of its citizens; it is a country that denies History. That’s why it is “South Africa”: nameless, rootless and ultimately, dismembered. For Indigenous people, it is a nothing, a country that perpetuates the notion of unhomeliness, dislocation, and rootlessness. Black people are nominally “South African.” They are in South Africa, but they are not rooted in South Africa. This was part of settler futurity, of constituting South Africa — a country that belongs to certain people; a minority. Look at my birth certificate for example. It says my name, my surname, and it says my homeland. And this is my homeland: it’s a place called Qwaqwa. I’ve never been to that place, my mother’s never been to that place, my father’s never been to that place. The colonial regime assigned one homeland for my mother and designated another homeland for my father. The colonial regime declared me of a totally different homeland. It is a joke. It is a farce. It is meant to dislocate me forever.

So the sense of rootlessness, the sense of worldlessness, not being in the world, is part of settler colonization. It’s part of this name. The naming is part of this alienation and dislocation. The point here is this: this name does not just perform physical dislocation because people have been removed from place to place; from ancestral lands to “elsewhere” to make space for white people. “South Africa” is not just a constant, insistent reminder of physical dislocation; it is a reminder of cultural subjugation. Finally, and relatedly, of course South Africa sees itself as/in the image of Europe. That is why the name is in English. It does not see itself not as part of Africa but almost as a country next to Portugal. So cultural subjugation, but ultimately also psychic dislocation: you don’t know who you are. The question “Who I am?” is really a question that continues today because of the alien culture that we call South Africa.



Top left. Pretoria.
Top right. Cape Town.
Bottom left. Johannesburg.
Bottom right. Durban.
Density and racial make up of South Africa’s four biggest cities 17 years after the end of Apartheid. Green dots: Black Africans. Yellow dots: Coloured. Red dots: Indians/Asians. Purple dots: whites. / Screenshots from the Dot Map of South Africa by Adrian Frith (2013).

LL: This was for the “where.” There’s also the “when.” We are September 12, 2019, which is the 42nd anniversary of the execution of Steve Biko, who is immensely important in the constitution of Black consciousness in South Africa. You kindly sent me a text that you wrote about the total fallacy of transitional justice, and that’s what we are going to talk about throughout this conversation. It also describes the way that time is approached in nationalist and settler colonial narratives in South Africa. I haven’t been here for many days, but as any person who comes here, I’ve been to the Apartheid Museum, I’ve been to the Hector Pieterse Memorial, and in both cases the national narrative seem very negotiated if not bargained. The information was also incredibly linear in the way one would experience the Apartheid Museum to end up in this sort of “rainbow nation” that triumphs over white supremacy. In a text, you talk about the nationalist effort “to distend the time” in this extreme linearity of time. Could you please tell us more about this?

TM: Yes. I began talking about the question of settler colonialism, but we should talk about “settler colonization.” The settler never sees himself as not being in a dominant position. He has to always entrench a notion of settler in continuity, settler futurity, that says that even when colonialism ends, he will still dominate — this is the settler’s vision. I am very obsessed by this idea of how in South Africa post-1994, we moved from settler domination — you know, the boot on your face — to settler hegemony. Part of making an hegemony possible is by producing certain

discourses and, as Foucault tells us, discourses shape subjectivity. One of the key one is the notion of time. Here in South Africa, there’s the notion that there was conquest. Then there was the fight between Afrikaners and English. They came together. Then they stopped being a colony of Britain, a settler colonial state. It became a Republic in 1963. And then, the end of the Apartheid, a “rainbow nation.” This is the idea of teleology toward something good. That narrative serves to distance the past from the very real fact that “the past is in the present” as members of my old organization used to say. The past is in the present. Most importantly, this teleology serves to mask the transition from settler domination to settler hegemony in the economy, in the cultural sphere, schooling, etc., in how history is viewed... It tames the memory of offence.

You know I was the chairperson of an organization of about hundred thousands members: victims and survivors of Apartheid; people who had been tortured during the Apartheid, whose kids were disappeared and so forth. Now if you look at them, just if you look at them, you see the scars on their bodies. You see their poverty, their material poverty. You see their mental illness. You see how the past continues in the present. So the notion that there was a birth of a new nation in 1994 is masking the idea that settler domination has become settler hegemony. That’s number one.

Number two is a manifestation of cultural colonial domination. In African cosmology, time is never linear. Time in African cosmology is cyclical, it goes in circles.

“THE SETTLER NEVER SEES HIMSELF AS NOT BEING IN A DOMINANT POSITION. HE HAS TO ALWAYS ENTRENCH A NOTION OF SETTLER IN CONTINUITY, SETTLER FUTURITY, THAT SAYS THAT EVEN WHEN COLONIALISM ENDS, HE WILL STILL DOMINATE — THIS IS THE SETTLER’S VISION.”

“IN AFRICAN CULTURE, IN FACT IN ALL CULTURES, YOU NAME YOUR CHILD. “SOUTH AFRICA,” THE TERRITORY, IS NAMELESS BECAUSE IT WAS NAMED NOT BY ITS HEIRS, BUT BY ITS VIOLATORS, ITS USUPERS.”

"TRANSITIONAL JUSTICE SAYS: 'FOR A BRIEF PERIOD OF TIME, YOU DO JUSTICE DIFFERENTLY SO YOU CAN TRANSITION FROM DICTATORSHIP, FROM CIVIL WAR, FROM HUMAN RIGHTS ABUSES TO LIBERAL DEMOCRACY.'"

Time is never from A to B, never. That's why when we tell our stories, they go back and forth. It can confuse you, if you are not used to that kind of cosmology. This is why the term "ancestors" is such a terrible term. Ancestors means "those who are dead," but in our culture, as you know, they are here. My father, who is "dead," is here. He's a Living-Dead, if you like. So time in African society is never linear, it's cyclical.

The notion of closed Apartheid, of a new nation, of a new constituted society really serves the work of settler logic, which is to say to all of us: "there's no need to fight anymore. Black people have won. It's a new society." While, as you said, you don't have to be here for too long to see ongoing poverty, to see inequality, and now as you've seen this week, ongoing xenophobia which is an outcome of some of these problems. The notion of time really serves to distance the past from the present, it serves to stop us asking some very tough questions about "what is today?" I wrote another article called "Social Justice in a Time of Neo-Apartheid," published in 2017, in which I contest the notion that we are in post-Apartheid. We are not in Apartheid. I have a job in a historically-white university, I direct this big center — that was not possible in the past. I live in a white suburb; I can be with whoever I want — maybe. But that is a function of settler colonization. When settlers are a minority, they have to make sure they assimilate some of us, the Black middle class. When you drive around you see Black people driving big cars, leading big institutions. But of course that is a veneer to cover-up the fact that colonization continues today. Again, colonialism is nothing. The big deal is colonization; a process or structure never an event, as Professor Wolpe reminds us.

LL: Let's examine this concept of "transitional justice" that might be not so well known to some. In a lecture you gave in 2010, you distinguished five different points that compose transitional justice. Can you tell us about this before we get to their application?

TM: Let me start by saying that the notion of transitional justice should be known by everyone. It is a central discourse, a central practice that affects all of us in post-colonial countries. All of us are engaging with it without knowing it. All of us are responding to it, to its failure, to its successes, without knowing it.

So what is transitional justice? Transitional justice arose in the 1980s in Latin America mostly, in the context of military dictatorships ending and people transitioning to "democracy." So a framework had to be found for such a transition. What framework do you put in place when a socialist rapture is no longer possible? So that's the first thing we have to understand: it is a framework that is in conversation with the old Marxist notion of rapture, of capture of state. And this was a discourse that was introduced to say "No, you don't have to do this, you don't have to take over power, you can transition." Transitional justice says: "For a brief period of time, you do justice differently so you can transition from dictatorship, from civil war, from human rights abuses to liberal democracy."

Transitional justice is mainly made up of five tools: the first tool is usually truth commissions. The idea here is: "We don't want to prosecute anyone, we want to be a new society, let's all come together and confess our sins and say what happened. If we do that, it won't happen again and we can move to a new society." Secondly, reparations for victims. So the second component is that you give reparations to victims. The other component or the way of doing it is through prosecutions. If one party has won, it prosecutes those who have lost. It is not a fair system, it's a victor's way. We have seen it in Rwanda, we have seen it in many places where you win and you prosecute mostly army commanders and so forth. Fourthly, there is memorialization where you set up monuments, museums, and so forth. And lastly, things like the re-imagination of curricula, of education, so that people can learn good behaviors; towards non-repetition. So there are a number of components, but the core of it is the idea that you are using the law and quasi-law mechanisms into a new society. It is the framework that has dominated all parts of the post-colonial world after 1989. So all of us are children of transitional justice, from Latin America to North Africa to Southern Africa. All of us really are engaging with its failures. Why its failures? Because it promises to give birth to a new society, it promises to give birth to a culture of human rights, tolerance, and so forth, but it always fails. And I hesitate to say it fails, because, actually, it succeeds. It is designed that way. It is designed to say "do not decolonize," "do not fundamentally restructure the economy."

The obsession is on two things: the first is to make sure that the State is stable. This means certain questions

are pushed to the back-burner, because we want the State to be functional again. Number two is the notion of coming together, reconciliation. Now, in a historically colonized setting, these two discourses, often, ensure that colonization continues. Let me give you an example with South Africa.

The South African state is a colonial state even today. It's a state that was set up in 1910, whose condition of possibility, as I said before, was the subjugation of African kingdoms. That state continues today. There was never state succession there was government succession. So transitional justice says "forget about the State, the State must stay as it is. Just change the government through democracy." So questions of how do you fundamentally decolonize society are pushed aside. Questions of the economy are also pushed aside because we are concerned with "liberal peace." "Please let's come together and we will see what we do after that."

In South Africa, the discourse of reconciliation meant difficult questions about who owns the minerals of South Africa, who owns the land, who killed who, who benefits from racial capitalism: those questions were said to be bad ones; questions by spoilers of peace. You are a bad victim, if you ask those questions. So far, the discourse and practice of transitional justice have not engaged deeper with the questions of the economy, of the land, of knowledge-systems. In other words, can there be a transition if the economy is not fundamentally redistributed, if Indigenous people are still landless, rootless and homeless; if their frame of references and knowledge systems are still subjugated?

LL: In the context of "the country with no name," there have been the Truth and Reconciliation Commissions in 1996 —everyone who is old enough remembers that moment. Those are the paradigm of what you are describing. The five points also recall some sort of recipe made up in the world of companies — of course, conflict resolution in the context of companies is for the companies to remain productive. I was also very interested in you quoting Desmond Tutu saying retrospectively admitting that a lot of the commission had been happening within a very Christian theology and it was much less what you described as Bantu theology of *Ubuntu*. Could you tell us about that?

TM: The Truth and Reconciliation Commissions (TRC) which is one of the big things that South Africa is known for. The idea being South Africa is a model of conflict resolution because there was no "victor's system" of prosecution. The TRC is said to be this great table of humanity. "We came together and we reconciled." It's a big lie, it's a fallacy. For a number of reasons. The TRC had a lot of mistakes but also in-built flaws within it.

First of all, there is the question of timing. The TRC began in 1996. Apartheid, officially, ended in 1994. However, the "conflict was ongoing; lots of people were being killed. So how do you expect people to come together in the context when conflict is ongoing? In that context, people don't trust state institutions; many people are still displaced; people are still mentally scarred. In that climate, how do you expect them to present themselves to the State? The State is the enemy! There is no way two years can magically change that. It was too soon, but also too quick. Thus, the timing issue had to do also with the fact that the TRC was rushed. Two years, and that's it: 1996-1998! Two years. So we have a lot of cases where a lot of people were left out of the process. And if you ask them "Why weren't you part of the TRC?" some of them say because "I was not in South Africa then" ; "I was displaced" ; "I was not in my town because the conflict was still ongoing," or "I was too young" or "I was mentally not okay."

Secondly, there was also a problem of geography. The TRC did not go to many far-lying areas, farms and villages. Thirdly, there were also administrative problems with the TRC. You find cases where the statement taker of the TRC, the person who takes your statement, speaks only one language. You are a victim, you speak another language: you don't understand each other. So there are cases that I've dealt with where five persons were involved as victims because of a bomb. But three of them are put down as victims and two of them as witnesses because of language issues. There are a lot of mistakes. The other thing is that TRC statement takers were paid per statements taken. So of course that means some statement takers were rushed; they took statements very quickly in order to take as many statements as possible. Ultimately, one could say that South Africa's transitional justice resulted in a situation where victims' pain was appropriated for elite reconciliation, for politicians to reconcile.

"THE TRC BEGAN IN 1996. APARTHEID, OFFICIALLY, ENDED IN 1994. HOWEVER, THE CONFLICT WAS ONGOING; LOTS OF PEOPLE WERE BEING KILLED. SO HOW DO YOU EXPECT PEOPLE TO COME TOGETHER IN THE CONTEXT WHEN CONFLICT IS ONGOING?"

"ONE COULD SAY THAT SOUTH AFRICA'S TRANSITIONAL JUSTICE RESULTED IN A SITUATION WHERE VICTIMS' PAIN WAS APPROPRIATED FOR ELITE RECONCILIATION, FOR POLITICIANS TO RECONCILE. BUT NOT FOR SOCIAL RECONCILIATION."

“TRUTH AND RECONCILIATION COMMISSIONS, LIKE ALL THE OTHERS IN THE WORLD, ARE BASED ON WESTERN LEGAL CULTURE. IF YOU SAY THAT SOMETHING HAPPENED TO YOU, YOU MUST GIVE ME WITNESSES, YOU MUST TELL ME WHERE IT HAPPENED, YOU MUST GIVE A STATEMENT IN A CERTAIN WAY.”

But not for social reconciliation. I called the article that I sent you “Transitional Justice as Epistemicide.” “Epistemicide” means the killing of Indigenous knowledge, the killing of other people’s way of understanding the world. And TRC was a classic case: TRC continued a conquest of knowledge.

And as you saw, it was heavily influenced by Christianity. So for example, “forgiveness” is understood and instantiated in divergent ways in Christianity and in most African cultures. In our culture, you must give me something to show that you are very sorry. But in Christianity I slapped your cheek, you show me the other cheek to slap you again. So not only does it not make a difference materially, in terms of redress, in terms of restitution, but it also meant the continuation of the conquest of the mind, of being in the world. Epistemicide because the African notion of social reharmonisation was subjugated. It was Christian theology on the one hand, and Western legal discourse on the other. TRC, like all the others in the world, are based on Western legal culture. If you say that something happened to you, you must give me witnesses, you must tell me where it happened, you must give a statement in a certain way.

LL: We’ll go back to *Ubuntu* later then. Something I find particularly striking about the TRC is that they seemed to presume that what needed to be expressed was the idea of human rights violation — something that is fundamentally coming from the West. Human rights violations involve events that are identifiable; it does not mobilize the entire structure of settler colonialism. Instead of considering colonized people, it produces victims, that is people who have been subjected to a punctual and identifiable prejudice.

TM: The TRC is a clear indication that, in a settler colonial context, the hegemonic discourse and praxis of human rights do not work for many reasons we can talk about later on. In the case of the TRC you had to mostly come as an individual victim and say “that perpetrator shot my father or that perpetrator tortured me.” Individual to individual. So the structure, the system was never on trial. Apartheid as an evil system was never in question. It was an individual case, people misbehaved and tortured people. Everything was okay. And of course that’s the logic of settler colonization: South Africa, the State, was okay, and it is legitimate. The idea is that “some people misbehaved and they must be sent to prison.” And there must be democracy, not decolonization, not de-Apartheid. We didn’t hear that.

Let me give you an example. My father was a mine worker. Like many Black fathers, we never saw him: he would

come every four month to five months. All of us grew up without fathers, which meant that all of us grew up without knowing how to become a father, how to become a man. But it also meant the destruction of a lot of families and therefore the destruction of a lot of Black societies. So the (migrant) labor system was at the heart of Apartheid, destroying Black families, causing so much trauma to everyone. This might be Apartheid’s main success. That question did not come up before the TRC.

Number three, beneficiaries of Apartheid were not part of the TRC. In every oppressive system as you know, there are beneficiaries. Ordinary white people who do not kill but benefited from Apartheid did not have to come to the TRC. So beneficiaries were excluded from the TRC. But you also talked about the notion of victim. That’s how I came up with the notion of “bad victims-good victim” in a 2007 paper of mine. You are expected to perform in a certain way: calm, magnanimous, demand justice and then accept an apology and then go home. You have to perform that; if you perform that you show that you are a good new South African. You show that you are part of building a new society. If you don’t engage in that performative newness, you are a bad victim. You don’t want democracy. You are put in a certain category. You are said to be part of the past because you don’t want to move on. A good victim is a victim who accepts that Apartheid is over, accepts apology and moves on without any material changes in their whole lives.

LL: And when we enter the question of structural violence through the notion of “victims” the story of those who are accepted as victims becomes a commodity.

TM: Right! This is why in another article of mine I talk about “Transitional Justice Entrepreneurs.” Transitional justice inevitably creates people that make careers out of historical injustices, and, ironically, the failures of transitional justice which they sell to everyone else. They write books, they do manuals on how to export post-conflict practices everywhere, they become commissioners, they become professors. But others are victims. They remain ineluctably victims. Victims cannot speak unless they are spoken on behalf of. So it really pushes this idea that there are victims and there are saviors — a moral hierarchy. In the context of South Africa, of settler colonization, the saviors were white people. People who benefit from Apartheid benefit again by telling victim stories, by becoming the saviors, by establishing organizations of civil society. A very missionary concept of saving others without looking at yourself. What about yourself, have you changed? Are you truly redistributing economic power? Are you distributing discursive power?

Steve Biko spoke of the idea of “perpetual teacher/perpetual pupil.” He said if you integrate South Africa, meaning if you bring white people and Black people together, without decolonizing, you are going to have a situation where you have masters and servants. A situation where some are the teachers and some are objects of study or, at best, wards under perpetual development. That continues today. I blame transitional justice because it produces the notion that some people did not have any other political subjectivity: they were just victims. Even if you were a politician, an activist, the TRC in a very biopolitical way produces you only as a victim.

LL: As a last chapter of this conversation, I would like to talk about decolonization properly or, at least, visions of what it could be. Listening to you throughout this conversation made me think about something that I hope is relevant. That is the way a concept like the “Relation” of Caribbean philosopher Edouard Glissant has been completely taken, whitewashed by so many people as the relation being this nice relation, a “rainbow nation” when, actually, what Glissant wrote about the relation had to do with the un-erasable relation between the enslaver and the enslaved, the colonizer and the colonized. You cannot erase this relation in any possible way, in all its violence. You can build on it, but it can never be erased. This takes us from transitional justice to reparative justice I believe. Is that something we can understand through the concept of *Ubuntu*?

TM: *Ubuntu* is a central philosophy of African people — the whole continent, not just South Africa. It has different names but is the same thing: *Ubuntu* or *Botho* in South Africa. It is an ethical prescription that says you are not a person, you are always becoming a person. No one is ever a person. Personhood is becoming. And you are only a person if you do humane acts to other persons. You stop being a person if you are evil to other people, if you hoard resources if you steal from other people.

The first idea is then the idea of relation: you are also inter-are, to use Thich Nhat Hahn’s notion. Not just people, but also non-human beings, animals, deities, gods and the Divine ancestors. But it demands two things: first truth, second justice — otherwise this relation is false. Truth and justice.

In the context of South Africa, during the TRC, *Ubuntu* was appropriated to facilitate “reconciliation” in the terms I explained earlier. We were told: “Black people, you are a people of *Ubuntu*, therefore you must forgive. *Ubuntu* says ‘I am because you are, because you are

therefore I am, therefore just hug and forget’.” It was very scary but that is what colonization does: it cannibalizes your most intimate discourses and uses them against you. So *Ubuntu* in South Africa was this wishy-washy thing where you forgive and you move on. No truth about what had exactly happened in South Africa. Who did what to whom? The truth about what must be put in place to ensure non-repetition.

Number two, justice. What would it take for us to build a humane society? That was pushed to the backdoor. Justice was evacuated from this very metaphorical idea of *Ubuntu*; it became meaningless. Someone gave the example of a bicycle: you steal my bicycle, you come back several years later and say “I am sorry I stole your bicycle.” I say “Okay, I forgive you.” We shake hands and then we go. But the bicycle is still with you. How are we gonna establish a relation then? Or as Edouard Glissant puts it, a “poetics of relation.” *Ubuntu* is not easy. It demands truth and justice.

What is the truth of South Africa today? It is the truth of ongoing colonization. It is not easy to say this but it is the truth. It is the truth of Black middle class like myself being assimilated into the white world. It is the truth about structural impoverishment. It is the truth about ongoing war against women and girl children. It is the truth about the phobia and hatred of the Black immigrant. It is the truth about epistemic racism and sexism. It is the truth about spiritual and cultural subjugation. The truth about heteronormativity. The truth about ontological inferiorization of people racialized Black. And they continue as the “triple Rs”: Reparation-Restoration-Restitution.

Ubuntu says we are all human beings. But how do you build a humane society? *Ubuntu* is really the vehicle toward inter-culturality, inter-legality. It’s the road toward post-xenophobia, post-homophobia, post all of this because it is about people coming together based on truth, based on justice. For that to happen, “South Africa” must fall. ■

Tshepo Madlingozi is Associate Professor and the Director of the Centre for Applied Legal Studies at WITS University in Johannesburg. He is a Research Associate at the Chair for Critical Studies in Higher Education at Nelson Mandela University. He is the co-editor of South African Journal of Human Rights and Symbol or Substance: Socio-economic Rights in South Africa (2013). For 13 years he worked with and for Khulumani Support Group, a 120 000-strong social movement of victims and survivors of Apartheid.

“I BLAME TRANSITIONAL JUSTICE BECAUSE IT PRODUCES THE NOTION THAT SOME PEOPLE DID NOT HAVE ANY OTHER POLITICAL SUBJECTIVITY: THEY WERE JUST VICTIMS.”

“IN THE CONTEXT OF SOUTH AFRICA, DURING THE TRC, UBUNTU WAS APPROPRIATED TO FACILITATE ‘RECONCILIATION’ IN THE TERMS I EXPLAINED EARLIER. WE WERE TOLD: ‘BLACK PEOPLE, YOU ARE A PEOPLE OF UBUNTU, THEREFORE YOU MUST FORGIVE’.”

GAMING THE SYSTEM: IMAGINING JUSTICE4GRENFELL

COLIN PRESCOD

Reflecting on the Justice4Grenfell movement, returning contributor Colin Prescod throws away the concept of vertical reparations altogether, and sketches a canvas for more radical demands aligned with the tradition of popular political organizing, going as far as the idea of a People's tribunal.

In the first days of the great viral pandemic: panic, pandemonium. Everything was panned: plague infested plunder. In the next days: communal isms excoriated those of capital. All in it together lip-service came easy in the crisis; help, a two-faced fork-tongued exchange. If only fresh starts and revelations came as easy as down-under eucalypts spring back to bush, in the wake of forests fired. If only apocalypse augured redemption.

[COVID19 - AD2020. CP]

The State of Play ///

It's a serious game, playing the system — an essential skill in class struggles. Black and Third World people, the dispossessed as well as the collaborators, have a particularly rich history of gaming imperialist systems — slave, indenture, colonial, capitalist. The record shows that games can be fixed. The powers that determine the rules as to who speaks and who listens in courts of law; who gets to govern and who gets to make the big decisions on matters of national interest.

It has long been recognized that the U.K. Government's Grenfell Tower Inquiry [announced a year after the calamitous fire at Grenfell residential tower, on June 14, 2017] would deliver neither complete nor timely justice for its victims. Justice for the 72 people officially acknowledged to have been killed, and the hundreds displaced and traumatised in the wake of the fire, has been thought of in terms of compensation for those who have suffered, and punishment of those who could be identified as responsible. Easy to see that there would have been any number of legal, professional, statutory, and possibly political perpetrators of wilful, neglectful, or accidental crimes and other wrongful acts in regard to the unprecedented disaster. But even as the appointed Chair of the Public Inquiry, judge the Rt Hon Sir Martin Moore-Bick, announced the protocols for the hearings, it became clear that some wrongful actions would fall outside both its jurisdiction and its consideration. Police inquiries were to handle legally admissible crimes — against the person, against property, against the law.

Human Rights commissions would handle/investigate/discuss wrongful, though not criminal, actions in regard to the people and statutory responsibility — rights to life and equality, for the vulnerable, women, children, the disabled. And, in this instance, it seems to be left to “the court of public opinion” to ‘air’ the unmentionables — crimes against the people, class crimes, crimes of the powerful.

At its inception, the State declared that the Public Inquiry would look at the circumstances surrounding the fire; leaving the criminal investigation to a proposed Police Inquiry. Gradually it emerged that any Police Inquiry would have to wait for the Public Inquiry to report before it could be convened. Eventually the Public Inquiry opened, uncertainly, with caveats, already mentioned.

After one year's hearings, the Public Inquiry reported in October 2019 — but only in part. Phase One investigated the events of the actual fire. Phase Two is planned to examine the history of the building — its original construction and related building regulations, subsequent refurbishments, and any role these may have played in regard to the circumstances of the fire.

In January 2020, the Public Inquiry set out to complete its Phase Two business — in effect to investigate who and what is to blame for the disaster. But within just a few weeks the Phase Two proceedings stalled — over protocols. Astonishingly, a challenge by the lawyers representing the building and construction professionals reporting to the Inquiry requested that any truths told to the Inquiry would not be admissible as evidence, in the event of criminal proceedings. Even more remarkably, they have now been given this assurance.

Since March 2020, COVID19 lockdown has led to suspension of the Inquiry — until July 2020, or later. The management of the viral pandemic has stalled many things.



Grenfell Tower on July 9, 2019. / Photo by Jessica Girvan.

Reparations may not be Good Enough ///

It is arguable that the Justice4Grenfell campaign would do better to focus on “wrongful acts” than ‘crimes’ as such. A focus on “crimes,” although sounding the promise of punishing wrong doers, directs and subordinates everything to the judicial system. But a focus on crimes excludes key concerns — “crimes against humanity.” There is no court of inquiry for deeply disturbing, wrongful and wicked acts by the authorities, against the people — no court for crimes of contempt, crimes of disdain, crimes of disregard.

Things have changed over the three years since the Grenfell fire. Much has been exposed about the culpability of the local state, The Royal Borough of Kensington and Chelsea, and its appointed agents and agencies, who managed the original build and subsequent maintenance, as well as the redesign of the residential tower block. The public's eyes have been opened to the extraordinary degree of disregard and contempt displayed by these authorities towards the residents and neighbors of Grenfell Tower over many years, in regard to repeated requests and complaints specifically about the health and safety of its residents. The paper-trail submitted by heroic and meticulously disciplined community activists, in the wake of the Grenfell tower fire, has exposed undeniably high-handed dismissal of the people's voices, time after time. It should be said that the Inquiry's Phase One report has delivered, perhaps surprisingly, forthright comment on, legal irresponsibility, professional misconduct, statutory contempt, political injustice, and institutional socio-economic violations — all uncovered in the evidence gathered in its first year's investigation. Although the report does not pronounce judgement, nor suggest imposing any sanctions. In truth it is hard to fathom the actual powers of the Public Inquiry. The Phase One report included

“MUCH HAS BEEN EXPOSED ABOUT THE CULPABILITY OF THE LOCAL STATE, THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA, AND ITS APPOINTED AGENTS AND AGENCIES, WHO MANAGED THE ORIGINAL BUILD AND SUBSEQUENT MAINTENANCE.”

“IT HAS LONG BEEN RECOGNIZED THAT THE U.K. GOVERNMENT'S GRENFELL TOWER INQUIRY WOULD DELIVER NEITHER COMPLETE NOR TIMELY JUSTICE FOR ITS VICTIMS.”

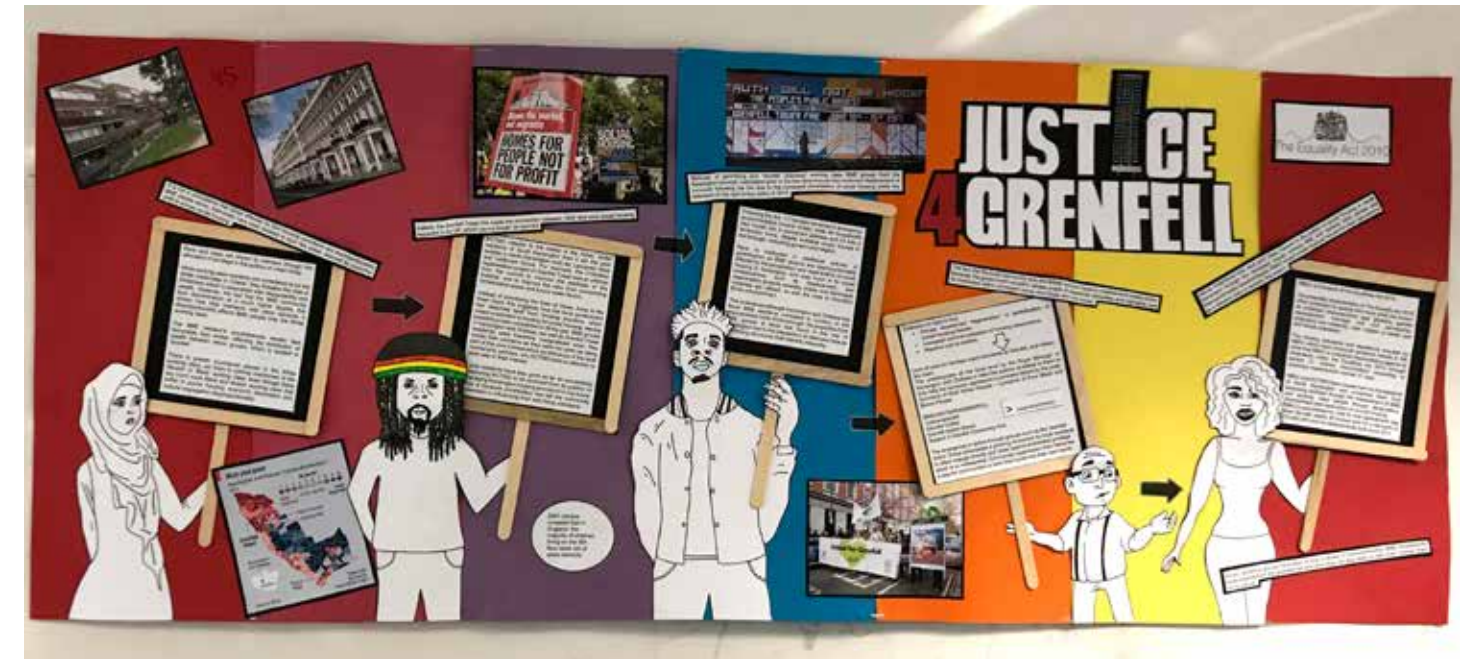


Top left. Justice-4Grenfell supporters at a protest on June 16, 2018, in London. / Photo by Andy Mitchell. **Top right.** Two-year commemoration on June 14, 2019. / Photo by Lonsland. **Bottom left.** 17/7/17 by Flamma. / Photo by Colin Prescod (2017). **Bottom right.** Justice4Grenfell mural in North Kensington, London. / Photo by Duncan C. (2017).

a hard recommendation to the effect that legislation related to construction and building regulations should be changed immediately. But there has been no evidence of immediate State response.

On the back of all that has been exposed, the advent of the 2019-2020 COVID19 pandemic has been a game changer. Some suggest that globally the re-start after COVID lockdown presents an exhilarating opportunity to re-configure the entire world system. In the midst of all this, the Justice4Grenfell situation has shifted — the goal posts moved by the Public Inquiry; the ball now kicked into the long grass as a consequence of the plague. Arguably, up till now the Justice4Grenfell campaign has been heroically whistling in the wind, and at the same time, pushing the metaphor, wishing for fair wind — hoping to obtain some kind of justice, granted by the very authorities that have systematically overseen and indeed overlooked contemptuous dismissal of Grenfell residents' protests and demands throughout the years that preceded the tragic fire. And now the coming of the plague threatens to take the wind out of our sails entirely. Even the much-celebrated, monthly community "silent march" with banners that proclaimed the message "always in our hearts," has been stymied by the "stay at home" lockdown imperative in the face of the COVID menace. We will need not just to restart, but to reconfigure our campaign; not just to be given a voice, but to have power in our gift.

Time to reconsider our situation, our strategy, our demands, our objective, in regard to what Justice4Grenfell would look and feel like. Time to sophisticate our campaign. At the start, before being drawn, understandably, into the state's Inquiry, we had righteous rage and clinical clarity — count the dead, rehouse the unhoused, comfort the grieving, support the traumatized, compensate those who had lost everything, identify and punish those responsible for overseeing/managing the historical slide to disaster. Even as the statutory authorities were charged with their duty to respond to the people's legitimate demands and to satisfy the people's immediate needs, multiple schemes for establishing a different kind of forum — not only looking into



the circumstances that overdetermined the coming of the fire, but also exploring what is to be done by way of proposing structures and processes that would ensure better, more accountable systems of government.

Some imagined a People's Tribunal — looking into the forces that had overseen the slow drift to disaster; looking into the state and its apparatuses; looking to propose new local-government structures and processes; serviced and supported by the very same volunteer army of legal and other intellectual supports that came to join the Justice4Grenfell campaign. It would address the tragedy of the fire primarily, but also wider matters of justice and lawful entitlements — matters of crime, punishment and reparation, as well as, matters of radical change to how local democracy works. It would involve determined, disciplined, and prolonged communal effort.

At the head of the agenda for any such people's forum's investigations would be human rights violations in the everyday practices/functioning of the existing State — looking at instances of neglect, contempt, failure, repression, injustice, and criminalisation. At the heart of the agenda would be commitment to confront socio-economic injustice; poverty and impoverishment — more plainly, to address class oppression, racism, state abandonment, state failure, systematic managed decline of living conditions, marginalization of the voices of youth as well as elders; to collect and pay heed to the testimonies of the voices of the marginalised; to put people-values above property-values. A People's Tribunal would address lived frontline issues, giving privileged platforms to justice campaigns, local and national; curating grounded, imaginative, and engaging conversations in the community; encouraging and supporting thinking in order to challenge and change; monitoring and challenging the unsatisfactory workings

of the judicial process and related police and prison practices. A People's Tribunal would also include a commitment to commemorate, memorialize, record and archive significant and historic community change action — as a learning and educational tool, informing and shaping a new political culture. A People's Tribunal would also have to find ways to engage with uncomfortably tough community contradictions; legacies of brutal political, economic, and social histories — the violence of the violated, the madness of the destabilized.

Because trust in "the establishment" has been severely shaken, the ambition of justice campaigns like Grenfell's needs must move beyond playing the system. We the people need to re-imagine the workings of the State — to re-imagine the power relations that define the political process; to re-imagine a political process without institutionalised injustices; to re-imagine democracy; to build a refreshed, militant, political culture; to nurture communities of resistance; to mobilise campaigns of change-action. "Every cook can govern," ventured the great socialist historian C. L. R. James. We the people, reparations beggars until now, need to become radical alternative choosers from now on. ■

Colin Prescod has lived at the same address in West London since 1958 — a stone's throw away from the site of the 2017 Grenfell residential tower disaster. Now retired, historically he has been variously academic sociologist; documentary filmmaker of Black British community struggles against racism and for belonging; theater-maker/playwright; museums and archives curator. He has also served voluntarily on a number of community and cultural committees and organizations — most notably, as Chair of the Council of the Institute of Race Relations in London.

Grenfell project-work at Queen Mary University of London in April 2018. / Photo by Colin Prescod.

"BECAUSE TRUST IN 'THE ESTABLISHMENT' HAS BEEN SEVERELY SHAKEN, THE AMBITION OF JUSTICE CAMPAIGNS LIKE GRENFELL'S NEEDS MUST MOVE BEYOND PLAYING THE SYSTEM."

BUILDING A MONUMENTAL ANTI-MONUMENT: THE CHICAGO TORTURE JUSTICE MEMORIAL

PATRICIA NGUYEN

For almost two decades, the Chicago Police Department has tortured over 125 predominantly Black and Latinx people. The Chicago Torture Justice Memorial designed by Patricia Nguyen and John Lee is one of the reparative components that activists have victoriously forced the municipality to build.

In the aftermath of the killing of George Floyd by Minneapolis Police Department on May 25, 2020, and the murders of Breonna Taylor (March 13, 2020), Tony McDade (May 27, 2020), Ahmaud Arbery (February 23, 2020), and countless Black people by police officers and white supremacist vigilantes, cities across the United States and around the world erupted in a rebellion for Black lives and a call to defund the police. These uprisings upend not only capitalism's racist infrastructure to reveal its valuing of property over people, but also the nation's valorization of white supremacist confederate generals and slave owners as protestors fight to pummel statues and monuments once created by the state. As these monuments are torn down by the masses of protestors in Philadelphia, Alexandria, and Richmond in the United States and Bristol in the United Kingdom, the Chicago Torture Justice Memorial (CTJM) project issues a public statement "Condemning Anti-Black Police Violence and Calling for Full Implementation of Reparations," five years after the historic Reparations Ordinance was passed in the City of Chicago. "The one component of this legislation that has yet to be fulfilled is the permanent public memorial."

CTJM is the leading organization in the continued fight to secure reparation for survivors of torture by Chicago Police Department (CPD) commander, Jon Burge. Before Burge rose to a prominent position as a detective in the CPD, he was a military officer during the Vietnam War where he learned torture techniques in a CIA led operation called the Phoenix Program. Burge was among several military officers who partook in war crimes abroad and returned to the U.S. to become police officers. From 1972 to 1993, Burge led the charge torturing over 125 (and counting) predominantly Black and Latinx men, women, and boys into forced confessions of violent crimes, which resulted in decades of incarceration and over 10 of them sentenced to death row. More recently, La Tanya Jenifer Sublett, the first Black woman and only one of two known has come forward as a survivor

to discuss how her experiences of torture were normalized and dismissed especially sexual violence, revealing gendered differences in experiences and how difficult it is for women to come forward.

Decades of intergenerational and interracial organizing efforts led by CTJM, Project NIA, We Charge Genocide, and Amnesty International, USA including the #BlackLivesMatter movement during the 2014-2015 election season led to the passing of the Reparations Ordinance in Chicago's City Council. The Reparations Ordinance passed in Chicago is the first law in the history of the U.S. to provide reparations for racially motivated law enforcement violence. According to CTJM, "the City of Chicago is agreeing to acknowledge the City's responsibility for gross human rights violations and to commit significant resources to help repair the harms inflicted on the torture survivors, their families and the communities they come from." The Reparations Ordinance includes a formal apology; financial reparations; a center on the southside of Chicago to provide counseling, healthcare services, and vocational training; torture survivors and family members are allowed to enroll in City Colleges and receive their education and degree for free; Chicago Public School (CPS) curriculum on the history of Chicago Police torture in 8th and 10th grade; evidentiary hearings for torture survivors who are still behind bars; and support for the creation of public memorial. The ordinance calls for a minimum of \$20 million to finance the Chicago Police Torture Reparations Commission, the Chicago Torture Justice Center, CPS curriculum, and the public memorial.

CTJM developed the memorial project with a group of phenomenal artists, lawyers, survivors, educators, and activists committed to human rights and social justice. The process of collecting proposals and selecting a memorial design began in 2010 through a series of community-based conversations about how a memorial could properly honor the lives of survivors without erasing



the history of violence. CTJM's dedicated team studies memorials for survivors of state violence all over the world. From 2011 to 2019, a series of community events, workshops, and protests were held across the city from the Jane Addams Hull House Museum to Experimental Station to the Southside Community Art Center to the Daley Plaza to the Cook County Juvenile Detention Center to Chicago's City Council meeting to name a few. They received and exhibited over 70 speculative memorials for Burge torture survivors. In the fall of 2013, CTJM co-founder, Joey Mogul drafted and filed the Reparations Ordinance in Chicago's City Council and it was finally approved on May 6, 2015. The last remaining item on the legislation to be realized is the public memorial.

In March 2019, CTJM worked with the University of Chicago's Art + Public Life to exhibit proposals by commissioned artists, one of which will be chosen to become the Chicago Torture Justice Memorial. The exhibition was curated by Hannah Jasper with the support of survivors, Anthony Holmes and Mark Clements. Six artists who have demonstrated commitment to racial justice work in the city were invited to submit proposals to produce an ambitious, permanent public artwork to honor named and unnamed torture survivors. The artists are Monica Chadha/Nelly Agassi, Juan Chavez, Sonja Henderson, Andres Hernandez, Preston Jackson, and John Lee and myself. The winning design proposal was selected by a team of jurors comprised of torture survivors, artists, community activists, cultural workers, architects, educators, and individuals in the philanthropic community.

Breath, Form, and Freedom was selected as the winning memorial design for the Chicago Torture Justice Memorial. *John Lee and I are the designers and are deeply*

humbled with the great honor of building the Chicago Torture Justice Memorial to center the stories of survivors, archive the struggle for reparations, and create a community space in the continued fight for justice. As artists, we ask ourselves, "What is our role as cultural producers in the face of continued war, police brutality, mass incarceration, and poverty in our nation's history?" For us, connecting the history of slavery, international wars, and domestic policies that criminalize poor and working class communities of color to resilient transnational struggles for liberation was a critical point of departure in defining what this memorial can offer as a public archive and educational platform for all generations. We envisioned a monumental anti-monument, where time does not stand still within the memorial to commemorate a history as past, but a past that is still present and its scale as undeniable. We hope to honor the survivors, both those who have come out and those who are unknown with this memorial and affirm that they are, in the words of Anthony Holmes, "still here."

Monuments can trap a sense of history in time, suspending it in its material form and mode of engagement with its public. I first heard of the notion of an "anti-monument" from a news article about Colombian artist Doris Salcedo, whose recent installation melted 37 tons of rifles, pistols, and grenade launchers turned in by the Revolutionary Armed Forces of Colombia (Farc) guerrillas into tiles. Salcedo discussed wanting to create something useful out of the weapons that have "caused so much pain" and that "monument[s] is a way of forgetting something." Drawing initial inspiration from Salcedo's work, I continued to meditate on this concept of an "anti-monument" with architectural designer, John Lee to create our memorial design for CTJM.

Project for the Chicago Torture Justice Memorial by Patricia Nguyen and John Lee. / Rendering by John Lee (2020).

"THE REPARATIONS ORDINANCE INCLUDES A FORMAL APOLOGY; FINANCIAL REPARATIONS; A CENTER ON THE SOUTHSIDE OF CHICAGO TO PROVIDE COUNSELING, HEALTHCARE SERVICES, AND VOCATIONAL TRAINING."

"DRAWING INITIAL INSPIRATION FROM SALCEDO'S WORK, I CONTINUED TO MEDITATE ON THIS CONCEPT OF AN 'ANTI-MONUMENT' WITH ARCHITECTURAL DESIGNER, JOHN LEE TO CREATE OUR MEMORIAL DESIGN FOR CTJM."

"WE MEDITATE ON BREATH, CALLING ON FRANZ FANON'S CONCEPTUALIZATION OF COMBAT BREATHING AS WE CONTINUE TO HEAR THE WORDS OF SURVIVORS PROCLAIM, 'I WILL NOT STOP AS LONG AS I HAVE BREATH IN MY BODY TO FIGHT FOR JUSTICE.'"

We hear the echoes of Eric Garner and George Floyd's gasps for breath as they exclaim "I can't breathe, I can't breathe" only to be asphyxiated due to excessive force by police violence. We meditate on breath, calling on Franz Fanon's conceptualization of *combat breathing* as we continue to hear the words of survivors proclaim, "I will not stop as long as I have breath in my body to fight for justice." The will to endure the fight for justice and reparations remains. Our collaborative approach to design centers community voices to reveal histories of state violence and create platforms to imagine alternative realities grounded in social justice. The idea for this memorial project began with a meditation on *breath*, *form*, and *freedom*. There are four main elements of the memorial design: 1) **Names of survivors** will be engraved on the wall in the entrance of the memorial. In addition, those are yet to be named will also be presented by etches on the wall. 2) **Timeline** of the reparations movement and facts about the history of torture by Jon Burge and the Chicago Police Department. This timeline will be created in collaboration with survivors and members of the Chicago Torture Justice Memorial Project. We believe timelines are a political project, framing what is remembered and how it is remembered. We want to make sure the process centers the voices of survivors, organizers, and activists who have been central to this work. 3) **Community Space** will be a multi-use space and can transform into a gallery, stage, cookout area, classroom, meditation room, etc. 4) **Manifestos** will be part of a collective creative writing project with survivors. To transform the violence of forced confessions, the manifestos portion of the project seeks to open up a reparative space for survivors to write visions for the future. These words will then be engraved into the walls that open up in the community space. The manifestos by survivors will be the first and last words visitors see.

"THE FORM IS LIKE A WOMB THAT HOLDS A HISTORY OF CHICAGO, WHILE CARRYING A SPACE FOR REBIRTH AND REGENERATION THROUGH CONTINUED DIALOGUES, EDUCATIONAL WORKSHOPS, AND HEALING SPACES."

Breath in relationship to the right to live in the face of state violence and histories of slavery, U.S. imperialism, and police brutality. Our understanding of *breath* brings together Black radical thinkers (Franz Fanon's *combat breathing* and Christina Sharpe's *aspiration*) and Buddhism (Thich Nhat Hanh) to imagine the memorial as a site for critical engagement with the history of reparations for survivors torture by Jon Burge and the Chicago Police Department. The idea of breath is woven through several elements of the design including the structure, material, and function. The structure of the memorial has wide windows, spacious ceilings, and expansive openings into the community space. The structural material includes contrasting ribbed and smooth concrete with timber accents for the memorial installation, and window details.

The unfinished textures, which speak to the notion of continued struggle, evokes the conditions torture survivors endured and the continued resiliency in each person to continue fighting for justice. The function of the center of the memorial design is a community space that can function as a stage for performing, meditative, and educational space. Here breath is enlivened through the voices of survivors, families, friends, and fellow community members sharing space together.

Form is encapsulated in the shape of the memorial design as a curved circular structure, which represents a nonlinear sense of time, ethos of communal support, and rebirth. Traditional memorial projects relegate the past into an object of observance. Our design embodies the idea that time can be folded and grounded in the present moment.

Names of the survivors are immediately present in the entrance, and as guests move through the curving interior corridor, the timeline of the reparations movement is mapped out. Towards the exit leads into the outdoor community space, which offers a platform where history is present with us but also opportunities for imagining futures together.

The coil design is inspired by the Zapatista caracol, Standing Rock's Indigenous organizational protest formation, Torkwase Dyson's hypershapes, and Christina Sharpe's discussion of the hold/to be held in the aftermath of transatlantic chattel slavery. Moreover, the circular character inverts and transforms the rigid block structure of prisons and schools as a critique of the school to prison pipeline, pointing to criminalization as an overtly racist process. Many of the survivors testify to the lack of educational and economic opportunities in their neighborhood as a link to why they were targeted. Nevertheless, the "coil" opens up to a space that seeks to offer a space to gather, bear witness, and create. The form is like a womb that holds a history of Chicago, while carrying a space for rebirth and regeneration through continued dialogues, educational workshops, and healing spaces.

Freedom is a continued struggle for more life in the face of systemic anti-Black violence. The memorial design ultimately seeks to be a place of possibility to bring together people from all sides of the city and internationally to engage with a history of Chicago. To create a platform for survivors and community members to learn about Chicago's reparations movement, offer lectures, workshops, community gatherings, which hopefully connects directly with students and teachers in the Chicago Public Schools as part of the curriculum initiative. Lastly,



Project for the Chicago Torture Justice Memorial by Patricia Nguyen and John Lee. / All renderings by John Lee (2020).

through a collective creative writing process with survivors we hope to create manifestos for the future of the words of survivors themselves to be carved out onto the pillars that open up to the community space. Transforming the act of forced confessions to reparative modes of writing manifestos as a way for survivors to write for themselves their hopes, messages, and lessons they would like to leave for us. The fight for justice continues and this memorial seeks to cultivate a living structure that exists as a platform to honor the lives of survivors and space of critical reflection and engagement.

The movement for reparations began decades before a memorial project was conceived of and almost a decade after the first initial meetings for a public memorial CTJM has chosen a design to be built. The timestamps on these movements are important to note, especially because community organizing and activism are fundamental to creating long lasting change but it does take time. The fight for reparations does not end with the passing of a law, it continues to be a durational struggle for those who have yet to be free from imprisonment, for Chicago Public School to implement the reparations curriculum, for sustained funding for the Chicago Torture Justice Center to provide healing and counseling services, and for the public funding and land to build and maintain a memorial.

Although this historic legislation package was approved, the city of Chicago has yet to secure funding and land for the public memorial. In CTJM's most recent statement, they are demanding that Mayor Lori Lightfoot "publicly commit to building the memorial for the Burge torture survivors within her first term in office. The Mayor's Arts & Culture Transition Team recommended she do this as soon as possible." ■

Patricia Nguyen was born and raised in Chicago, Illinois. She is the Director of Undergraduate Studies and Assistant Professor in Asian American Studies at Northwestern University, where she also earned her Ph.D. in Performance Studies. Her research and performance work examine state violence, the prison industrial complex, critical refugee studies, political economy, forced migration, intergenerational trauma, torture, and nation building in the United States and Vietnam. Community based praxis and experimentation is a fundamental ethos of her work as an artist and scholar committed to abolition. She has published work in Women Studies Quarterly, Harvard Kennedy School's Asian American Policy Review, Women and Performance, and The Funambulist. In recent news, Patricia is an award-winning memorial designer for the Chicago Torture Justice Memorial Project, the first monument in the United States to honor survivors of police violence.

"THE FIGHT FOR REPARATIONS DOES NOT END WITH THE PASSING OF A LAW, IT CONTINUES TO BE A DURATIONAL STRUGGLE FOR THOSE WHO HAVE YET TO BE FREE FROM IMPRISONMENT."

THE FUNAMBULIST

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Next issue: 31 (September-October 2020): *Food Politics*

funambulist: fu-nam-bu-list (fyoo-nám'bye-list)
noun. One who performs on a tightrope or a slack rope. (The Free Dictionary)

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Editor-in-Chief: Léopold Lambert

Head of Strategic Outreach: Margarida Nzuzi Waco

Editorial Assistant: Caroline Honorien

Contributing Copy Editor: Carol Que

Graphic design original model by Julie Mallat

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Contributors: Pola Maneli, Atiyah Khan, Menna Agha, Cases Rebelles, Amy McQuire, Ariella Aisha Azoulay, Zoé Samudzi, Linda Quiquix, Edward Halealoha Ayau, Tshepo Madlingozi, Colin Prescod, and Patricia Nguyen.

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